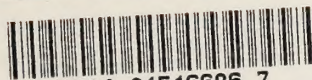


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EARLY
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EXTRACTS FROM THE RECORDS OF THE COURT OF QUARTER SESSIONS FOR THE DISTRICT OF MECKLENBURGH. (AFTERWARDS THE MIDLAND DISTRICT.)

WITH INTRODUCTION AND NOTES

BY

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INTRODUCTION.

Immediately after the Conquest, Commissioners or Justices of the Peace, among other officers of the law, were appointed in the Province of Quebec and various ordinances were passed by the provisional government. But the Quebec Act of 1774 entirely abolished both the political and judicial system of the colony, and repealed "all and every ordinance and ordinances made by the Governor and Council of Quebec for the time being, relative to the civil government and administration of justice in the said Province and all commissions to Judges and other officers thereof."

After the passing of the Quebec Act, therefore, the Governor and Council provided for by it began with a clean sheet, as far as the machinery for carrying on the government and administering justice was concerned.

During the years 1775 and 1776 the very existence of the colony as a British possession being threatened, provision for its civil administration could not be thought of. But, with restored security in 1777, the Governor and Council began to pass laws in the shape of ordinances. The first one was very naturally "An Ordinance for establishing Courts of Civil Judicature in the Province of Quebec;" the second, "An Ordinance to regulate the proceedings in the Courts of Civil Judicature in the Province of Quebec," and the fifth, "An Ordinance for establishing Courts of Criminal Jurisdiction in the Province of Quebec."

Commissioners or Justices of the Peace with summary powers both individually and collectively were again provided for. From time to time their powers and duties were enlarged until they covered quite a variety of subjects. Thus the Courts of Quarter Sessions came to possess both legislative and executive functions in addition to being Courts of both civil and criminal jurisdiction.

After the arrival and settlement of the U. E. Loyalists in the western portion of the Province, additional Justices of the Peace were appointed for those localities, but without at first any provision for Courts of Quarter Sessions or any other Courts. In all matters not permitted to be disposed of in a summary manner by one or more magistrates, recourse had to be had to the Courts at Montreal. Great inconvenience naturally resulted. This was only very partially remedied by the passing of an Ordinance in 1785 "for granting a limited Civil Power and Jurisdiction to His Majesty's Justices of the Peace in the remote parts of this Province."

The new comers had been long accustomed to British laws and institutions, as well as local self-government, in the colonies from which they had come. Naturally, therefore, they objected very strongly to the conditions under which they found themselves placed in Canada. Here they were subjected, in the tenure of their lands and in all civil matters, to French-Canadian laws and customs, while, constitutionally at least, they were without any sanction for a system of local self-government.

Complaints, protests and petitions emanated from them through various channels. At length in April 1787 an ordinance was passed (27th Geo. III. c. iv.) continuing a previous ordinance with reference to the administration of justice with some additions, the most important being the following clause. "Whereas there are many thousands of loyalists and others settled in the upper countries above Montreal, and in the bays of Gaspé and Chaleurs below Quebec whose ease and convenience may require, that additional districts should be erected as soon as circumstances will permit, it is enacted and ordained by the authority aforesaid, that it may be lawful for the Governor or Commander in chief for the time being, with the advice and consent of the Council, to form by patent under the seal of the Province, one

or more new districts, as his discretion shall direct, and to give commission to such officer or officers therein as may be necessary or conducive to the ease and convenience to His Majesty's subjects residing in the remote parts of the province."

Information of this intended additional relief was apparently conveyed to the magistrates of the new settlements by Sir John Johnson, who had a general supervision of the western territory.

In a letter¹ from the magistrates to Sir John Johnson, dated Cataraqui, (afterwards Kingston), 22nd Dec. 1787 the concession is gratefully acknowledged and further improvements suggested. "Your circular letter directed to the Magistrates of the new settlements, dated the 27th November, reached this place to-day, at a time when a memorial was preparing to be laid before His Excellency Lord Dorchester in Council respecting some matters deemed essential to the welfare of the settlements in this district, and we are happy to find that his Lordship's disposition to serve us has rendered such a step unnecessary; and it gives us an additional pleasure that we are required to transmit our sentiments on such an important subject to you Sir, of whose exertions to procure us every advantage our situation will admit of, we cannot entertain a doubt.

The object that first presents itself as of the most importance is the tenure of the lands. The conditions on which they have been granted to the Loyalists in this province are so different from what they have been used to and so much more burdensome than those offered to our fellow sufferers in Nova Scotia and New Brunswick, that they are universally disagreeable. Nothing in our opinion would conduce so much to the prosperity of these settlements as the putting the grants of lands on the same footing they are on in the rest of British America. This would at once give the most universal satisfaction, enhance the value of all the other benefits that Government have bestowed on the settlers, and prove the most powerful spur to industry of all kinds.

Next in order is the due execution of justice and the administration of the laws. The power lodged at present in the hands of the magistrate is found by experience very inadequate to the regulation of a district so populous and extensive as this. Many

¹ Contained in the Letter Book of the Hon. Richard Cartwright, grandfather of the present minister of Trade and Commerce.

causes must occur that they are not authorized to determine, and many crimes and trespasses have and probably will be committed, that it is not in their power to punish. The courts of the lower parts of the Province are so distant and the expense and trouble of attending them, and bringing the necessary witnesses so far from their homes, so great, that unless in cases of great importance and enormity, offenders must always escape with impunity; the ruinous consequences of which must be sufficiently obvious. To prevent these we would recommend the establishing at this place Courts of both Civil and Criminal Jurisdiction for the settlements in its vicinity; so that all matters respecting either persons or property may be decided without any great delay or expense. And we think moreover that it will still be useful to the settlements that the Justices of the Peace retain the power they are invested with of deciding causes not exceeding the value of five pounds; as the suing for such small sums at court must generally be attended with more expense than the first demands amount to, and the speedy decision of such causes is often of more consequences to the parties than the sum itself.

That the proceedings of our courts be regulated as far as possible by the Laws of England is a matter much to be wished, but whatever system is adopted in this respect we conceive it would be highly useful to have it compiled into a regular form and printed.

The election or appointment of proper officers in the several townships to see that the necessary roads be opened and kept in proper repair, we conceive would be of great utility, by facilitating the communication with all parts of the settlement.

Humanity will not allow us to omit mentioning the necessity of appointing overseers of the poor, or the making of some kind of provision for persons of that description, who from age or accident may be rendered helpless. And we conceive it would be proper that the persons appointed to this charge as well as the road masters, should be directed to make regular reports of the state of their districts, to the courts, at their meetings, and be in all cases subject to their control."

The document then goes on to deal with trade and other matters, but the portion here given throws considerable light on the working of the Court of Quarter Sessions about to be es-

tablished. In accordance with the authority granted in the ordinance 25th Geo. III. c. iv, already quoted, Lord Dorchester issued a proclamation dated 24th July 1788 dividing the new settlements to the west of the French limits above Montreal into four districts named Luneburg, Mecklenburg, Nassau and Hesse.

The district of Mecklenburg is described as "extending within the north and south bounds of our said province, from the western limits of the said district of Luneburg, [*i.e.* from the mouth of the Gananoque river] as far westerly as to a north and south line, intersecting the mouth of a river now called the Trent, discharging itself from the west into the head of the bay of Quinty, and therein comprehending the several towns or tracts called or known by the names of Pittsburg, Kingstown, Ernestown, Fredericksburg, Adolphustown, Marysburg, Sophiasburg, Ameliasburg, Sydney, Thurlow, Richmond and Camden."

Under the same authority commissions were given for the establishing of a Court of Quarter Sessions in each district. In the district of Mecklenburg the court went into operation the following year.

The more interesting and important portions of the record of this court are here published for the first time. As may be readily observed they throw much light on the beginnings of municipal government and to a certain extent of provincial government as well as on judicial administration.

After giving a few samples of cases tried and sentences passed, the common run of cases disposed of is omitted, nine-tenths of them being cases of assault and battery.

For the first few years the lists of the Grand Juries are given as indicating the more prominent settlers in the district at the time.

The spelling of the names is given as in the record and will be found to vary somewhat. Where the name is uncertain, from the difficulty of making out the manuscript, a note of interrogation is placed after it.

DISTRICT OF MECKLENBURG—TOWN OF KINGSTON.
COURT OF QUARTER SESSIONS.

TUESDAY, THE 14TH APRIL, 1789.

Present :—

Richard Cartwright, jr., Esq.
Neil McLean, Esq.
Richard Porter, Esq.
Arch. McDonell, Esq.

WEDNESDAY, THE 15TH APRIL.

Present :—The same Justices.

The King on the pro—of Joseph Desavier vs. Alexander McDonell, Jean Mignon, Michael Lemeur, Jean Chaudieau, In assault and battery.

The Grand Jury delivered into court a true bill.

The defendants being arraigned, Alex. McDonell, Jean Mignon and Michael Lameur plead guilty.

The Jury called and sworn, were :—

- | | |
|---------------------|---------------------|
| 1. George Galloway. | 7. Arthur Orser. |
| 2. John Wartman. | 8. John Ferris. |
| 3. Barn'bs Day. | 9. Gilbert Orser. |
| 4. Robt. Graham. | 10. Malcolm Knight. |
| 5. Peter Wartman. | 11. George Murdoff. |
| 6. Solomon Orser. | 12. Wm. Bell. |

Witnesses for the pro :—Wm. Whitehead, Francis Seuben.

For the defendant :—

The Jury having considered of their verdict, by their foreman say that the defendant is not guilty.

The Court having considered the verdict of the Jury—it is ordered that Jean Chaudion, defendant, is acquitted of the assault he is charged with.

1 Trial by jury was permitted in certain cases on the demand of either party by the ordinance 25th Geo. III c.2. This was continued by 29th Geo. III c. III which made special provisions for the new districts.

In the English districts trial by jury was the rule.

The court having ordered Alexander McDonell, Jean Mignion, and Michael Lemeur to appear do consider that they shall pay a fine of ten shillings each.

Grand jurors absent—Peter Vanalstine, Gilbert Sharp.

Petit jurors absent—David Glyn. Charles Bennett, John Cascallon, ¹ Wm. Smith.

It appears to the court that the above named persons have been lawfully summoned and empaneled to serve at this general Court of Quarter Sessions, and have absented themselves without any just cause it is therefore considered that Peter Vanalstine and Gilbert Sharp do pay a fine of thirty shillings each, and that David Glyn, Chas. Bennett, John Cascallon and Wm. Smith do pay a fine of twenty shillings each.

COURT OF QUARTER SESSIONS—TUESDAY, 14TH JULY, 1789.

Present :—Richard Cartwright, Neil McLean, James Clark, Michael Hagerman, Eben'r Washburn, Rob't Clark, Esqs.

The Sheriff returned the precept to him directed with panel annexed of jurors' names, constables, &c.

The Grand Jury called and sworn will appear on said panel ; Samuel Brunson and Paul Trompour being duly called were absent.

The court having considered that stallions running in common are a nuisance, do order that no stallion more than 2 years old shall be allowed to run after the twentieth instant under a penalty of forty shillings to be paid by the owner,—one half of which will be allowed the informer.

WEDNESDAY.

The King on the pro—John Baker vs. Joseph Cunnaham in trespass and assault.

The Grand Jury delivered into court a true bill.

The defendant being arraigned pleaded not guilty.

The jury without retiring, by their foreman Valentine Detlor say that the defendant is guilty of the trespass and assault whereof he stands indicted.

The court having considered of the verdict of the jury—it is ordered that the defendant shall receive thirty-nine lashes on his bare-back at the public whipping post of this town.

¹ Carscallen.

COURT OF QUARTER SESSIONS.

The Court met pursuant to adjournment of the 16th July last.

MONDAY, 12TH OCTOBER.

Present :—Richard Cartwright, Neil McLean, Esqs.

A court of Oyer and Terminer ¹ having been held for this district of M — on the 20th of Sept. last, at which all the business for this district was settled,—the justices having taken into consideration the great inconvenience that would arise to the good people of the district on being again called together at this time and the little necessity there was for calling them, as no business appears to require it, they therefore, declined issuing any precept to summon any jury to attend at this session.

A complaint having been made by Elizabeth Vansickler against John Carscallion, Alex. Chisholm and Alex. Clark of Fredricksburg for each of them detaining one of her children, and they having been duly summoned to appear at this session to show cause why the said children should not be delivered to their mother, and being duly called did not appear.

The court having duly examined into this matter find that although the said children were bound by the church wardens ² of Fredricksburg under the sanction of James Clark and George Singleton, Esqs., from humane and laudable motives, yet the business was not strictly legal and further that the considerations on the part of the said Jno. Carscallion, Alex. Clark and Alex. Chisholm were not sufficient, they being under no obligation to give the said children any education or instruct them in any trade, and that the said binding was without the knowledge or concurrence of the father or mother of said children, ³ they do therefore, order and adjudge that the said Alex. Chisholm, Alex.

¹ Courts of Oyer and Terminer were established for the new districts at the same time as the courts of Quarter Sessions. Various regulations with reference to these courts are made in 29th, Geo. III. c. III.

² Here we have probably the first record of such local officers. As no mention is made of their appointment by the Magistrates but simply the sanction of their action, they were probably elected by the town of Fredricksburg. The neighbouring town of Adolphus has left a record of Town Meetings appointing town officers before any legislative authority sanctioned them. In the document quoted in the introduction the Magistrates refer to the need for such Town Officers.

³ It may be observed that both the action of the Wardens and the criticism of it by the Magistrates are based on English civil law and custom, which however, had no place as yet in Canada,

Clark and Jno. Cascallion, do each of them, forthwith, restore to the said Elizabeth Vansickler the child he has in his custody;—and further they order that the said Elizabeth Vansickler after receiving the said children do depart this district by the first convenient opportunity, or at furthest by the 20th day of November next. This is indeed the ground on which she requests the restoration of her children; and it does not appear that she has the necessary means of supporting them.¹

The justices having ordered the Sheriff of this district of Mecklenburg to see that their order in favor of Elizabeth Vansickler is duly executed, do adjourn this court until Tuesday, the 12th day of January next.

COURT OF QUARTER SESSIONS.

TUESDAY, 12TH JANUARY, 1790.

The Court met pursuant to adjournment of Monday, the 12th day of October last.

Present :—Rich'd Cartwright, Neil McLean, Robt. Clark, Arch'd McDonell, Nich's Hagerman, Steph'n Gilbert, Esqs., Grand Jurors absent—John Cascallion, George Muiduff, sick. Petit Jurors absent—Wm. Keller, left the district, Asa Huff.

The Court having considered the great abuses arising from the unlimited sale of spiritous Liquors by the Tavern Keepers in this district, to all manner of persons and at irregular hours, they do therefore order and adjudge that the following condition shall be entered in the recognisances given by Tavern Keepers previous to their obtaining a Licence.—That during the term of their said Licence they shall not entertain servants, or suffer Tradesmen or Labourers to abide in order to drink and tipple at their house longer than one hour in the day time:—nor sell any Spiritous Liquors after the hours of nine o'clock at night in Winter, and ten o'clock in Summer.

Asa Hough being duly summoned to appear as a petit juror at this Court of Quarter Sessions made default, the Court do therefore order that the said A. Hough shall pay a fine of Twenty shill's.

The Court adjourn to the second Tuesday in the Month of April Next.

¹ Elizabeth remained, however, as we find her soon after a witness for the defence of a vagabond named McCarty.

QUARTER SESSIONS HELD AT KINGSTON, BY ADJOURNMENT 14TH
DAY OF JAN'Y.

TUESDAY, 13TH DAY OF APRIL, 1790.

Present :—Richard Cartwright, Neil McLean, Arch'd Mc-
Donell, Esqs.

WEDNESDAY, 14TH APRIL, 1790.

Charles Justin McCarty appears upon his recognisance taken upon information that he is a vagabond, imposture, and disturber of the peace.

Witness for the pro. sworn, Benj'n Clapp.

For defendant, John Ratton, Wm. Williams, Eman'l Elderbec, Alexr. Laughlan, David Lent, Eliz. VanSickler, Florence Donovan.

The Court having heard the evidence for the prosecution, likewise the evidence for the defendant, will deliberate on the merits of the information against the defendant.

The Court having consulted with the Grand Jury, the Court, with the approbation of the Grand Jury, do order that the said Charles Justin McCarty shall, within the space of one month, leave this district and not return, and that the sheriff of the district shall see this order duly executed.

The King on the prosecution, Conraad Sills vs. Fred'k Peper for feloniously stealing and carrying away a Plough Shear, Coulter and Bolt of the value of Ten Shill's.

The Grand Jury delivered into Court a True Bill.

The prisoner being called to the bar was charged upon his Indict't: to which Indict't he pleads Not Guilty—and puts himself upon God and his Country.

Witness for the prosecution Conraad Sills, John Dingman.
For the defendant,—

The Jury retired to consider of their verdict, and, having returned into Court, by their Foreman Gilbert Harris say that the defendant is Guilty.

The Court having considered the verdict of the Jury do order that the prisoner shall receive thirty-nine lashes on his bare

back at the public whipping post. Suffer one month's imprisonment, and shall be set in the stocks one day in each week of that month with the label of *Thief*.

TUESDAY, 13TH DAY OF JULY, 1790.

Present :—Richard Cartwright, Neil McLean, Arch'd McDonell, Dan'l Wright, Robert Clark, Nich's Hagerman, Stephen Gilbert.

The Grand Jury sworn as per pannel annexed to the precept. Constables sworn for the Town of Kingston for the ensuing year, Rich'd Campbell, Philip Pember.

Henry Bird appeared to answer on the complaint of Katherine Brown, to perform his part towards the maintenance of a Bastard Child by her. The Court having heard the parties, the said Bird does acknowledge the said child and is ready to do what the Court may order. It is ordered that the said Henry Bird shall pay the mother K. Brown the sum of ten shillings per month from the birth until the child shall be twelve months old, and that the said Bird shall give sufficient security for his sure performance of the same.

Charles Justin McCarty having been apprehended and committed by the Sheriff for having returned to this district after having left it, in consequence of an order of the last Court of Quarter Sessions held the 13th day of April last,—The Court do order that the said Charles Justin McCarty shall remain in gaol until the Sheriff shall find a proper conveyance for sending him to Oswego. The court adjourned till to-morrow morning at nine o'clock.

WEDNESDAY, 14TH JULY.

The Court met pursuant to adjournment.

The Foreman of the Grand Jury informs the Court that Owen Ritchy, one of the Jury, is no longer able to attend from lameness. The Court order that the Grand Jury may be cancelled and a new panel made, leaving out the name of Owen Ritchy—previous to their proceeding to business.

The King on pro—Archibald McDonell, Esq. vs James McTagart and George Finkle, for Misdemeanor in refusing to obey the summons of the said Archibald McDonell Esq., one of the Justices assigned to keep the peace in said district.

The Grand Jury delivered into Court a True Bill.

The defendants being charged upon their Indictment pleaded not guilty, and for their trial hath put themselves on God and their Country.

Witness for pro. sworn,—Arch'd McDonell, Esq., Timothy Thomson, William McGraw.

The Jury retired to consider of their verdict, and having returned into Court, by their Foreman, John Ham, say that the defendants are *Not Guilty*. The Court having considered the verdict of the Jury do order the defendants to be discharged.

THURSDAY, 15TH JULY.

Upon the representation of Frederick Cromer of the ill treatment that he has received from John A. Dingman. The Court are unanimously of the opinion, that the said Frederick Cromer can or ought to live with the said Dingman.¹

COURT OF QUARTER SESSIONS HELD AT ADOLPHUS TOWN 14TH OF JANUARY 1794.²

Present :—Richard Cartwright, Jun'r, Neil McLean, Hector McLean, John Walden Myers, Hazelton Spencer, Alexander Chisholm, Bryan Crawford, Alexander Fisher, Nicholas Hagerman, Caleb Gilbert, Samuel Sherwood.

The Commission of the Peace was openly read.

The Sheriff returned the Precept.

The Grand Jury was called and sworn.

Richard Ferguson, foreman, Alex'r Vanalstine, Arch. Chisholm, Mathias Marsh, John Chisholm, Tobias W. Myers, Paul Trompour, Peter Rattan, Sen., Reuben Beedle, Benj.

¹ Cromer was probably an indentured servant or bound apprentice to Dingman. It was permitted by law to bind out children until they were twenty-one years of age.

² The records for the years 1791-2-3 are wanting. During that time the Constitutional Act of 1791, had come into force, and the first two sessions of the new legislature of Upper Canada had passed. English law, as the rule of decision in all civil as well as criminal matters, had been formally adopted; 32nd Geo. III. Cap. I. Trial by jury had also been made compulsory; 32nd Geo. III. Cap. II. However English law and trial by jury had already been general in the Western settlements. The names of the Districts had been changed, the District of Mecklenburg becoming the Midland District. By 33rd Geo. III. Cap. VI. the Court of Quarter Sessions for the Midland District is thenceforth required to be held at Adolphus Town on the second Tuesday of January and July, and at Kingston on the second Tuesday of April and October.

The first bill introduced in the first session of the first parliament of Upper Canada, was intended to provide for representative municipal institutions similar to

Clap, Abram Mabee, Paul Huff, John Caniff, Wm. Bell, Wm. Moon, Ruloff Orhim, Michael Haat, I. Howel, Samuel B. Gilbert, Joshua Goldsmith, David McGregor Roger, Owen Richards.

Constables were sworn to attend the Grand Jury.

The Court gave the Grand Jury the charge¹.

The Court adjourned till to-morrow at ten o'clock.

WEDNESDAY, THE 15 JANUARY, 1794.

The magistrates in session assembled agree to the sureties proposed by the Treasurer, a Bond entered into of £300 with Neil McLean and Hector McLean, Esquires, sureties².

John Croisdell appeared at the session and entered into recognisance, himself in £40 and Peter Vanalstine in £40, that

those in the adjoining United States, by authorizing town meetings for the purpose of appointing various town officers. This system seems to have been already in operation, in several localities, among the Loyalists. The Adolphus Town town meeting record has lately been brought to light and published in an "Appendix to the Report of the Ontario Bureau of Industries 1897." Simcoe, however, and his imported Executive Council, being frankly opposed to anything that savored of American democracy, did what they could to discourage any such measure. A counter bill was introduced, authorizing the Justices of the Peace to appoint annually divers public officers. Neither bill matured, however. (See Simcoe's despatches to Dundas, and the Journals of the first session of the Upper Canada Legislature. Canadian Archives, Q. 279.) The following year, 1793, a compromise act was passed, 33rd Geo. III. Cap. II. providing for the nomination and appointment of parish and town officers. This merely permitted the ratepayers to elect certain executive town officers, whose duties were either prescribed by the act, or left to be regulated by the Justices in Quarter Sessions. Beyond the permission to fix the height of fences, the town meeting had not legally any legislative function, the town officers were independent of each other and responsible, not to those who elected them, but to the Magistrates. By 34 Geo. III. Cap. VIII. the following year, a slight additional legislative power was given to the town meetings, permitting them to fix the limits of times and seasons for certain animals running at large, but even this power was afterwards curtailed. This act, therefore, while authorizing town meetings, effectively strangled all interest in them except where, as in Adolphus and neighbouring townships, the limitations of the act were to a certain extent disregarded. Hence for years to come the Court of Quarter Sessions remained the only living centre of municipal affairs.

¹ The charge to the jury was usually delivered by the Hon. Richard Cartwright, chairman of the Sessions. Some portions of these charges have been preserved, and they indicate that, as was necessary in a new Province but lately provided with a constitution, where there were few educational facilities, little means of communication and almost no books, the addresses were of a very comprehensive character. Speaking from personal knowledge, Bishop Strachan said of them "His addresses to the grand juries at the Quarter Sessions will long be remembered for their sound principles, liberal views and tempered dignity."

² By 33rd Geo. III. Cap. III. provision was made for the assessment and levying of District taxes. The funds were to be administered by the Quarter Sessions for local purposes, such as building a court house and goal, building and maintaining bridges, and for the payment of various local officers. Section 25 of this act provided for the appointment of a District treasurer who should give such security as might be approved by the Magistrates. The treasurer was allowed three per cent. of all moneys received.

the said John Croisdell shall appear at the Q'r Sessions in April at Kingston, in the meantime keep the peace, and in particular to Jack his Negro Boy.¹

Caleb Gilbert and Joshua Goldsmith are each and separately bound in £10 penalty to appear and give evidence on part of our Sovereign Lord the King at April Sessions, to be holden at Kingston.

Solomon Orser prays he may be discharged from his recognisances. Was accordingly discharged by proclamation.

COURT OF QUARTER SESSIONS, HELD AT KINGSTON, 8TH APRIL
1794.

Present :—Richard Cartwright, Jr., Neil McLean, Hector McLean, Hazelton Spencer, Alex'r Chisholm, T. Thomson, Samuel Sherwood, Richard Cartwright, Sen'r, Thomas Markland, Richard Porter, Thomas Dorland, Robert Clarke, William Atkinson.

The Commission of the Peace was openly read.

The Sheriff returned the Precept.

The Grand Jury were called and sworn.

Wm. Johnson, Foreman; Wm. Crawford, Jas. Parrot, Nicholas Herkimer, Alex. Clarke, Guisbald Sharp, David Embury, Donald McDonell, Isaac Briscoe, Elisha Phillips, Gilbert Harris, Jas. Carscallion, Daniel Fraser, Benjamin Seymour, John Embury, Matthew Clarke, Andrew Embury, Dan'l Carr.

Constable sworn to attend the Grand Jury, John Mower.

The Court gave the Grand Jury their charge.

All persons bound on Recognizance were called and continued on their Recognizances.

TUESDAY AFTERNOON.

On application to the Magistrates in open sessions of Mr. James Russel, of the Town of Kingston, of his having been assessed in two different Townships, the Court do order that the

¹ Quite a number of Negro slaves had been brought into this District from the United States. But an act had been passed the previous year, 1793, 33rd Geo. III. Cap. VII. to prevent the further importation of slaves. Though not liberating any of the slaves then held it provided that their children born after the passing of the act, should not be retained in involuntary servitude beyond the age of twenty-five years. This bill, Simcoe says, met with much opposition in the legislature. (See Canadian Archives Q. 279 p. 336.)

name of Mr. Russel be struck out from the assessment of Fredericksburg, having already paid his assessment in the Town of Kingston, having been assessed for his whole property in the Town of Kingston.¹

THURSDAY, THE IOTH OF APRIL.

The following persons were named and appointed to serve as constables for the space of one year for the Townships hereafter specified :²

Mr. John McLeod, High Constable.
James Beaman, Samuel Merrill, for the Town of Kingston.
John McLaughlin, Jr., Pittsburgh.
John Yerks, George Harpel, Township of Kingston.
Nathaniel Olger, Thomas Fraser, Earnest Town.
J. Hawley, George Sills, Harman Laraway, John Finkle, Fredericksburg.

Michael Slott, Andrew Hufnel, Adolphus Town.
Samuel Rosebush, Sidney.
John Reid, Thurlow.
Daniel Robertson, John Carnard, Marysburgh.
Caleb Alesworth, Peter Cole, Sophiasburgh.
Henry Bowen, Richmond.
Amos Martin, Amherst Island.

It is ordered by the Magistrates in open sessions assembled that the sum of nine pence shall be paid to the Pound Keeper for every Horse or head of Horned Cattle pounded and the sum of fourpence for every Sheep, Hog or Goat.³

It is likewise ordered that the Town shall receive from the owner the sum of one shilling for Registering the marks of any horse or other head of Horned Cattle.

The following arrangement is ordered by the Magistrates assembled in Sessions, that the Magistrates composing the Court

¹ This is in accordance with 33rd Geo. III. Cap. III. Section 11 which provided for the hearing of assessment appeals by the Magistrates in Quarter Sessions.

² By 33rd Geo. III. Cap. II. Section 10, the Justices of the Peace at the April Sessions were to appoint each year a high constable for the District, and a number of constables to serve in each parish, or township.

³ Section 13 of 33rd Geo. III. Cap. II requires the Magistrates to fix the fees to be taken by the town clerk and the pound keepers.

of Requests will be held in the different Townships as follows, by the hereafter named Magistrates :¹

Mr. Markland, Mr. Atkinson, Mr. Cartwright, Senr., for Kingston and Pittsburgh.

Mr. Clarke, Mr. Booth, Mr. Ducinbury, for Ernest Town, Campden and Amherst Island.

Mr. Spencer, Mr. B. Crawford, Mr. T. Thomson, for Fredericksburgh and Richmond.

Mr. T. Dorland, Mr. Hagerman, Mr. P. Vanalstine, Mr. Fisher, for Adolphus Town and that part of Sophiasburgh comprehended between the Carrying Place and Green Point.

Mr. Myers, Mr. Chisholm, Mr. Caleb Gilbert, Mr. Stephen Gilbert, Mr. Samuel Sherwood, for Ameliasburgh, Sidney and Thurlow.

It is considered by the Magistrates in open Sessions that the Gaoler, John Cannon, shall in future be allowed Ten Pounds per Annum for his salary and that he shall receive Ten Pounds for his past services to be paid out of the Public Stock of the District².

Likewise the sum of Seven Pounds Seventeen Shillings and Threepence to the Town Wardens of Kingston for the support and maintenance of Mr. Wooding, out of the Public Stock of the District.

Likewise the sum of Fifteen Pounds to Mr. A. McLean for opening the Road to the Gananoque River, out of the Public Stock of the District.

Likewise the sum of Three Pounds and threepence to Mr. A. McLean for his Disbursements, from the Public Stock of the District.

Likewise the sum of Eighteen Pounds Eight Shillings and Ninepence farthing to Mr. Richard Cartwright, Jr., for his Disbursements, out of the Public Stock of the District.

Likewise the sum of Fourteen Pounds Seven Shillings and

¹ This is in accordance with 32nd Geo. III. Cap. VI, which provides for the establishing of Courts of Requests, for the speedy recovery of small debts. The Court was to consist of two or more Justices of the Peace, appointed for special divisions of the District by the General Court of Quarter Sessions. This was the beginning of the present Division Court.

² The gaoler was appointed by the Sheriff, but his remuneration was fixed by the Quarter Sessions, in accordance with 32nd Geo. III. Cap. VIII. Sections 14 and 17.

Sixpence be paid to Mr. John Howard, Coroner of the District, out of the Public Stock.

Likewise the sum of Fifteen Pounds to Mr. A. McLean, Clerk of the Peace, being his salary for one year, out of the Public Stock of the District.

The whole amounting to Eighty six pounds six shillings and five pence Halifax Currency, which shall be sufficient authority for the Treasurer to pay the aforesaid sums.

SPECIAL SESSIONS—SATURDAY, THE 26TH DAY OF APRIL, 1794.

Present :—Richard Cartwright, Jun, Neil McLean, William Atkinson, Thomas Markland, Esqs.

Mr. Burnet, Road Master, to superintend the Road to be opened in the Second Concession and to have under his direction the People residing in the rear of the First Concession as well as those of the Second Concession.

Mr. Ferris, Road Master, to superintend the road in Front, from the Township line to the Bridge over Collins Creek, and to have the assistance of three days labour of the Inhabitants of the Town of Kingston, not to pass the Bridge of Cataroque Creek.

Mr. Brass, Road Master, to superintend the road from King's Mills to join Mr. Ferris at the Township Line and to work the Road from the Town to the Second Concession.

Mr. Brewer, Road Master, to superintend the Road from the Third Concession to the New Township and from Capt'n Atkinson's farm to Powlys and from thence to join Mr. Ferris's Road towards Collins' Bridge and from Powlys house to the limits of the Township¹.

SPECIAL SESSIONS—SATURDAY, THE 3RD MAY, 1794.

Present :—Richard Cartwright, Jun., Neil McLean, Hector McLean, Thomas Markland.

It is ordered that the Assize of Bread for the four pound

¹ This is in accordance with 33rd Geo. III. Cap. IV. which provides, with great detail, for the laying out, amending and keeping in repair the public highways and roads in the Province. The Justices of the Peace in their various divisions, were declared to be commissioners to carry out the requirements of this act. The overseers, or road masters, were among the officers to be elected at the town meetings, but, as will be seen from this record, the Magistrates entirely prescribed and controlled their duties, under the conditions laid down in the act.

white loaf of Wheaten Flour marked with the initials of the Baker's name, be five pence currency.

QUARTER SESSIONS HELD AT ADOLPHUS TOWN 8TH JULY, 1794.

Present :—Neil McLean, Hector McLean, Arch. McDonell, Alex'r Fisher, Nicholas Hagerman, Daniel Wright, T. W. Myers, Caleb Gilbert, Alex. Chisholm, John Peters, Thomas Dorland, Richard Ferguson.

The Commission of the Peace was openly read.

The Sheriff returned the Precept.

The Grand Jury was called and sworn.

Alex. Chisholm, Foreman; Wm. R. Bowen, Jno. Huyck, Cornelius Vanhorn, Arch. Campbell, Solomon Huff, Jno. Dingman, Mat. Hale, Elisha Miller, Hy. Young, Jr., Jno. Richards, B. Dyer, John Stinsen, Sen., Barnabas Wimp, Jas. Wright, Wm. Harrison, Robt. Thomson, Peter Collier, Wm. Carson, Giliam Demorel, F. Ferguson, John Allen, John Moon.

Constables sworn to attend the Grand Jury—John Sills, Peter Cole.

[Unimportant cases tried.]

THE COURT OF QUARTER SESSIONS, HELD AT KINGSTON, OCT.

14, 1794.

Present :—Richard Cartwright, Neil McLean, Hector McLean, Richard Ferguson, Richard Cartwright, Senr., Wm. Atkinson, Thomas Markland, Richard Porter, Hazelton Spencer.

The Commission of the Peace was openly read.

The Sheriff returned the Precept.

The Grand Jury were called and sworn.

Jos. Forsyth, Robt. McCawly, Jacob Miller, Wm. Crawford, Donald McDonell, Peter Grass, Wm. Bell, Peter Detlor, Wm. Smith, Duncan Bell, Geo. Murdoff, Jno. Dennison, Luke Carscallion, Wm. Hunter, Davis Hawley, Francis Prime, Wm. Ramboch, Abraham Dafoe, James Colter, Jr., Jno. Sharpe, Joshua Booth.

A petition from Peter Irish and other Inhabitants of the District having been presented to the Grand Jury. The Grand Jury present to the Court that they will take into consideration the Report of the said Petition.

The magistrates in sessions assembled will give directions to the magistrates in the different Townships.

[Four cases of assault and battery.]

COURT OF QUARTER SESSIONS HELD AT ADOLPHUS TOWN TUESDAY, 13TH JAN., 1795.

* [Nothing of importance.]

SPECIAL SESSIONS HOLDEN AT KINGSTON, 7TH FEBRUARY, 1795.

Neil McLean, Wm. Atkinson, Thomas Markland.

Aron Brewer's division to commence at the west extremity of the Township in the third concession, and to continue down the forty-foot road to the second concession; also to open a road from the forty foot road to Arthur Orser's in the third concession.

Nicholas Whitesell's division to be the forty-foot road from the third concession to the fourth, the fourth concession line as far as he may find it necessary for the inhabitants settled there, and also the road from the fourth concession to join the mill road from Kingston.

David Brass's Division to comprehend all that part of the Town from the north side of the Market Square and the forty foot road to the Kingston Mills, also the road from the Town to the second concession.

Thomas Smith's Division to commence at the west end of the Township in the second concession and continue down to the creek. The forty foot road from the second concession to the third at Buck's.

Micajah Purdy's Division from the west end of the Township to the Cataraqui Creek in the front concession, all the forty foot road between lots No. 9 & 10 from the first concession to the third.

John Roushorn's Division from the Cataraqui Creek to the east end of the Township in the second concession, and from the Cataraqui Creek to the North side of the Market Square in the first concession, and the forty foot road between No. 17 and 18 from the first concession to the second.

COURT OF QUARTER SESSIONS, HELD AT KINGSTON, 14TH APRIL, 1795.

Present :—Richard Cartwright, Neil McLean, Robert Clarke,

Wm. Atkinson, Timothy Thomson, John Dusenbury, Thomas Markland.

The Grand Jury called and sworn.

Wm. Johnson, Foreman; And. Thomson, Alex. Clarke, John Carscallion, Benj. Seymour, Jas. Richardson, Mat. Clarke, Dan'l Carr, Jno. Sharpe, Jephtha Hawley, Jonathan Miller, Nicholas Harkimer, Dan'l Fraser, Jos. Blunt, Wm. Fairfield, Jacob Ferguson, Sheldon Hawley, Jno. Williams, David Embury, Jno. Embury, Hy. Finkle.

WEDNESDAY, THE 15th APRIL, 1795.

The following persons are appointed Constables for the Midland District for the year ensuing, to serve until the end of the sessions in April, 1796.

Township of Kingston, Barnabas Day, Jno. Ferris.

Town of Kingston, Emmerson Busby, Titus Fitch.

Township of Pittsburg, Jno. Grant.

Township of Ernest Town & Amherst Island, Nath'l Alger, David Shory, Alex. McMullen.

Fredericksburgh, Sol'n Bush, Alphus Cadman, Jonas Vanalstine.

Adolphus Town, James Huff, Jonas Smith.

County of Hastings, Sam'l Rosebush.

Township of Richmond, Adam Segar.

Sophiasburgh, Peter Cole, Stephen Conger.

James Robertson, Cooper, of Kingston is nominated by the Magistrates in sessions to stamp measures¹.

It is ordered by the Magistrates assembled in Sessions that the Magistrates of the Township of Fredericksburg and the Township of Adolphus be appointed to form a Court of Requests, from there being only two Magistrates in the Township of Fredericksburgh.

COURT OF QUARTER SESSIONS, ADOLPHUS TOWN, 14TH JULY, 1795.

Magistrates present: Alex. Fisher, Thomas Dorland, Francis Pruyn, Caleb Gilbert, John Peters, Esqrs.

[Several cases assault and battery.]

¹ The 32nd Geo. III. Cap. III. establishes the English standards for weights and measures, and the Magistrates in Sessions are required to appoint an inspector who shall stamp the various measures in commercial use.

QUARTER SESSIONS, KINGSTON, 13TH OCTOBER, 1795.

Present : Richard Cartwright, Alex'r Fisher, Peter Vanalstine, Wm. Atkinson, Thomas Markland.

It is ordered by the Magistrates assembled in open sessions that the sum of Twenty Eight Pounds be levied from Adolphus Town and the County of Prince Edward for Member's Wages, agreeably to an Act of Province, for the year 1793 for P. Vanalstine, Esq., Member for the said Counties.

It is ordered by the Magistrates assembled in open sessions, that the sum of Twenty Six Pounds be levied by assessment from the County of Prince Edward and Adolphus Town, for Member's Wages, agreeably to an Act of the Province, for the year 1794 for Major Vanalstine for the said counties.

It is ordered by the Magistrates assembled in open Sessions, that the sum of Twenty Six Pounds be levied by assessment from the County of Prince Edward and Adolphus Town for Member's Wages, agreeably to an Act of the Province, for the year 1795 for Major Vanalstine, for the said counties.

It is ordered by the Magistrates assembled in open session, that the sum of Twenty Eight Pounds be levied by assessment from the Counties of Addington and Ontario, for Member's wages, agreeably to an Act of the Legislature, for the year 1793, for J. Booth, Esq., for the said Counties.

It is ordered by the Magistrates in open Sessions assembled, that the sum of Twenty Eight Pounds be levied from the Counties of Lenox, Hastings and Northumberland, for Member's wages, agreeably to an Act of the Province, 1793 for H. Spencer, Esq., for said Counties.

It is ordered by the Magistrates in open Sessions assembled that the sum of Twenty Seven Pounds be levied by assessment from the Counties of Lenox, Hastings and Northumberland for Member's Wages, agreeably to an Act of the Province, for the year 1794, for H. Spencer, Esq., for said counties.

It is ordered by the Magistrates in open Sessions assembled that the sum of Twenty Six Pounds be levied by assessment from the Counties of Lenox Hastings and Northumberland for Members Wages, agreeably to an act of the Province, for the year 1795, for H. Spencer, Esq., for said Counties.¹

¹ The Provincial act, in accordance with which these assessments were made, was the 33rd Geo. III. Cap. III. Section 30, which professes to follow in this mat-

The Magistrates in open Sessions assembled authorize and appoint Richard Cartwright, Wm. Atkinson and Thomas Markland, Esqs., as a Committee to contract for and superintend building a Gaol and Court House agreeably to a plan approved by the Magistrates¹.

AT A GENERAL QUARTER SESSIONS OF THE PEACE FOR THE MIDLAND DISTRICT HELD AT ADOLPHUS TOWN ON TUESDAY
THE 12TH DAY OF JANUARY 1796.

Justices present :—Alex. Fisher, Thomas Dorland, Bryan Crawford, Peter Vanalstine, Esqrs.

Grand Jury sworn :—Wm. R. Bowen, Alex. Vanalstine, Paulus Trompour, Abrm. Maby, Wm. Carey, Cornelius Van Horn, Wm. More, Peter Ruttan, Paulus Huff, Reuben Beedle, Sam'l Gilbert, John Canniff, Benj. Clap, Michael Slote, John Embury, John Huyck, Peter Vallowe.

[One case of assault & battery disposed of.]

Ordered that the Court be adjourned to Friday, the 26th of January Instant. Then to meet at Daniel Cole's in Adolphus Town aforesaid.

TUESDAY, 26TH JAN'Y, 1796.

The Court met pursuant to adjournment.

Present :—Peter Van Alstine, Alex. Fisher, Nicholas Hagerman, Thos. Dorland, Timothy Thompson, Thomas Markland, Richard Cartwright.

Mr. Markland and Mr. Cartwright, two of the members of the Committee appointed by the Session in October last to contract for and superintend the building of a Court House and Gaol for the District, produced a plan which was approved of. The expense is estimated at from nine hundred to one thousand

ter the ancient usage of England. Each member was to receive from the Speaker a warrant specifying the number of days during which he had attended the Assembly. On presentation of this, the member might demand from the Magistrates in Sessions, a remuneration at the rate of ten shillings per day, for his attendance. The Magistrates were authorized to levy, for this purpose, a special rate on the section represented by the member. As these special rates gave rise at first to a good deal of grumbling on the part of the people, several members did not at once apply for the allowance authorized, which accounts for the above applications for back pay.

¹ The act 32nd Geo. III. Cap. VIII. provided for the building of a gaol and court house in each district, specifying the location. For the Midland District they were to be in Kingston. The Justices in Quarter Sessions were to obtain and approve plans for the erection of the gaol and court house and were to let the contract for their erection. The expense was to be borne by the district.

pounds and the committee are requested to proceed to have the same executed.

As the late Treasurer A. McLean, Esq. hath vacated his office by removing out of the District, it is agreed unanimously that Thomas Markland, Esq. should be appointed Treasurer.

Thomas Markland and Alexander Fisher enter into a joint bond for the said T—— Markland's due performance of the office of Treasurer, in the penal sum of five hundred pounds.

MARCH 26TH, 1796.

AT A SPECIAL SESSION HELD BY THE COMMISSIONERS OF THE
HIGHWAYS FOR THE COUNTY OF FRONTENAC.

Present : R. Cartwright, Wm. Atkinson, Thos. Markland.

Received the accounts and lists of the following overseers :
Aaron Brewer, John Roushorn, Micajah Purdy, Thomas Smith.

Ordered, That Mr. Nicholas Herkimer take the same division and work the same road that were under the direction of Micajah Purdy the last session.

That Hugh Campbell should employ the people of his Division in opening and improving the road from the third to the fourth concession and along the first line of the fourth concession.

That Mr. John Roushorn, Mr. Thomas Smith and Mr. Aaron Brewer employ the inhabitants of their respective Divisions, which are comprised within the same limits as they were last year, in improving the same roads, and that the composition money,¹ as far as it will go, be applied towards finishing the bridges over the little River of Cataraqui in the second and first concessions.

Adjourned to Saturday, 2nd April.

Present, the same Commissioners.

Received the accounts of Nicholas Whitesil and David Brass.

It is ordered that Mr. David Brass retain the same division and employ the Inhabitants on the same roads as last session.

That Thomas Howland of Pittsburg shall have within his

¹ Section 13 of the road act allowed those subject to statute labor to compound for it by paying, to the overseer, six shillings per day for each team and driver, or three shillings per day in lieu of personal labor.

division all the Inhabitants from Mr D McDonell's farm inclusive, to the lower extremity of the said Township, and shall employ them in improving the roads from his own house to the extremity of the Township adjoining the Township of Leeds.

That John Grant shall have within his Division the remainder of the Inhabitants of the said Township and employ them in improving the roads from his own house to Mr. T. Howland's.

COURT OF QUARTER SESSIONS HELD AT KINGSTON THE 12TH
APRIL, 1796.

Present :—Rich'd Cartwright, Alex. Fisher, Timothy Thomson, Joshua Booth, Thomas Markland, Wm. Atkinson, Peter VanAlstine, John Embury.

The Commission of the Peace was openly read.

The Sheriff returned the Precept.

The Grand Jury was called and sworn.

Geo. Forsyth, Foreman, Robt McAuley, John Carscallan, Donald McDonell, Peter Smith, Joseph Anderson, Jephtha Hawley, James Robins, Alex. Clarke, Michael Grass, John Everitt, Benj'n Seymour, Henry Finkle, James Parrot, Francis Prime, Sam'l McLay, Jacob Miller, Matthew Clarke.

Titus Fitch & C. Burley, Constables, were sworn to attend the Grand Jury.

The Court gave the charge to the Grand Jury.

All persons bound on recognizance were called.

It is ordered by the Magistrates in open session that an entire rate be continued to be levied for the ensuing year.¹

¹ By the assessment acts 33rd Geo. III. Cap. III. and 34th Geo. III. Cap. VI. the inhabitant householders of the various parishes or townships were to be arranged by the assessors in ten classes according to the amount of their real and personal property, being from £50 to £100 in the first class, and from £500 to £550 in the tenth. The act prescribed a specific amount, called the *rate*, to be paid by each class, the rate for the first class being 2s. 6d. and for the tenth 25s. There were also a Lower and an Upper List, beyond these classes, the former rated at 2s. only, and the latter at 5s. on every £100 of assessed property. These amounts were to constitute a full rate which was fixed by the act, for the first two years 1794-95. Thenceforth the Magistrates in the April Sessions were to determine, after making an estimate of the expenditure for the year, what proportion of the rate should be levied. As stated above, the full rate was continued for 1796, but varying proportions were afterwards appointed. Numerous changes were made in the assessment act before 1812.

APRIL 13TH, 1796.

[One case of petty larceny and two of assault and battery were disposed of.]

APRIL 14TH, 1796.

John Carscallen and Alex. Clark were bound under recognizance in open sessions, of ten pounds each, to prosecute Wm. Rambach and Peter Detlor at the ensuing Quarter Sessions at Adolphus Town next July.

A Bench Warrant was granted (directed to the sheriff) by the magistrates in open sessions assembled, to apprehend Wm. Rambach and Peter Detlor to answer an Indictment at the ensuing Quarter Sessions of the Peace.

[Various accounts are ordered to be paid.]

The whole amounting to sixty four pounds sixteen shillings and ten pence Halifax currency, which shall be sufficient authority to the Treasurer to pay the above sums out of the public stock of the District.

The following persons were nominated and appointed constables for the term of one year for the Townships hereafter specified.

Mr. John McLeod, High Constable.

Thurlow, Philip Swich.

Adolphus Town, Garrat Benson, Samuel Brook.

Ernest Town, Richard Knight, Robinson Irish.

Amherst Isle, Colin McKenzie.

Marysburgh, James Gerolomy, Robt. Thomson.

Fredericksburgh, John Kemp, Jacob Finkle.

Richmond, Lambert Vanalstine.

Town of Kingston, Wm. Good, Henry Cassidy.

Township of Kingston, John Moss, Michael Diderich.

Sophiasburg, Abraham Cronch, Peter D. Sidney Conger.

Pittsburg, Samuel Howland.

[JULY 1796, ADOLPHUS TOWN.]

It is ordered by the Magistrates in open sessions assembled that the sum of twenty five pounds currency be levied upon the inhabitants of the County of Lenox and part of Prince Edward County, for Member's wages, agreeable to an act of the Province for the year 1796.

EARLY RECORDS OF ONTARIO.

(Continued from October number.)

Philip Pember, Isaac Secord and Reuben Beedle having applied to the Magistrates in Sessions,—It is ordered that the Clerk give them a certificate to obtain Licence on filing their recognizance, agreeable to law.¹

[Four cases disposed of.]

A SPECIAL SESSIONS, KINGSTON, MONDAY, 12TH SEPT., 1796.

Present :—Thomas Markland and Wm. Atkinson, Esqrs.

The average price of flour being 20 shillings, it is ordered that the assize of bread for a 4 lb. loaf of fine wheaten flour be 9d., and that a brown loaf, weighing 6 lbs., be 9d. currency. The bakers are ordered to mark their loaves with the initial letters of their names.²

COURT OF QUARTER SESSIONS HELD AT KINGSTON, 11TH OCT., 1796.

Present :—Alex. Fisher, Peter Vanalstine, Thomas Markland, Wm. Atkinson, John Peters, Alex. Chisholm.

The Commission of the Peace was openly read—The sheriff returned the Precept—The Grand Jury were called and sworn.

Elisha Philips, Jacob Ferguson, Peter Detlor, Gilbert Harris, Abram Defoe, Guysbard Sharp, Wm. Rambach, James Cotter, John Richards, Henry Simmonds Foreman, Duncan Bell, John Sharp, Ebenezer Washburn, Luke Carscallen, C. Parker.

¹ Up to 1794 the retailing of liquors had been regulated by an ordinance, of the old Province of Quebec, of 1788. In 1794 this ordinance was repealed by 34th Geo. III. Cap. XII, which required that, after March 20th 1795, no licences to keep public houses for the sale of liquors should be granted to any one who had not obtained from the Magistrates of the Division of the District in which he resided, a certificate of his being a proper person to keep an inn or public house. The Magistrates also determined the number of public houses which might be kept in each District. The applicant on receiving his certificate was required to enter into a bond, or recognizance of £10 for himself, together with two sureties in £5 each, the bond to be filed with the Clerk of the Peace. Having complied with these conditions, the candidate applied to the Provincial Secretary, who issued the necessary licence on payment of the fees appointed. By the act 36th Geo. III. Cap. III, the former act was amended to the extent of permitting an application for certificate to be made to the regular Court of Quarter Sessions. It is in accordance with this amendment that application is made in the above and subsequent cases.

² In the Commission of the Peace under which the Magistrates exercised their powers, the authority to regulate the assize of bread, one of the most ancient of the powers of an English Magistrate, was specifically assigned to the Magistrates of the Midland District.

Wm. Good and John Most constables were sworn to attend the Grand Jury.

All persons bound in recognizances were called.

Amos Ainslie, absent. Amos Ainslie, upon a second recognizance, absent. John Campbell, Royal Canadian Volunteers, absent.

Alex. McDonald being set to the Bar, and having informed the Court he had made up the matter for which he was complained against, was discharged by proclamation on his paying the costs of Court.

David Bradshaw was set to the Bar and arraigned upon the indictment found against him last July Sessions at Adolphus Town, C. T. Peters Esq., attorney for defendants, having pleaded several irregularities in the indictment, the Court has taken till to-morrow to consider them. [Was found not guilty.]

It is ordered by the Magistrates in open Sessions assembled that the sum of twenty nine pounds currency be levied from the Counties of Lenox, Hastings and Northumberland for member's wages for 1793.

It is ordered that the sum of twenty five pounds currency be levied from the counties of Lenox, Hastings and Northumberland for member's wages for 1796.

It is likewise ordered that the sum of twenty six pounds currency be levied from the counties of Addington and Ontario for member's wages for 1794. Minute issued.

Kingston, Oct. 12th. The Court met.

Present, the same Justices and Joshua Booth Esq.

Wm. Johnston and John Embree were sworn in as Magistrates.

Henry Simmonds was sworn in as Deputy-Lieut. of the county of Addington.¹

¹ Simcoe, in a despatch to Dundas, the Colonial Secretary, dated Navy Hall, Nov. 4th 1792, states that "In order to promote an Aristocracy, most necessary in this country, I have appointed Lieutenants to the populous counties, which I mean to extend from time to time, and have given to them the recommendatory power for the Militia and Magistrates as is usual in England." (Canadian Archives, Q. 297 I. p. 85.) This was part of Simcoe's plan for the eradication of the Old and New England system of local government, and the substitution of an arbitrary aristocratic local administration. But, the Home Government discouraging this project, the system did not extend beyond the regulation of the Militia, authorized by 33rd Geo. III. Cap. I. The Lieutenants of counties were authorized under this act to nominate Deputy Lieutenants, subject to the approval of the Governor, and appoint the other officers necessary for the command and training of the Militia.

Duncan Bell, Shadrach Huff and Andre Layst, having applied to the Magistrates in open sessions for leave to keep Public Houses of entertainment, and retail spiritous liquors. It is ordered that the Clerk give them each a certificate for obtaining a licence on their filing their recognizances, agreeable to law.

Lieut. Wm. Johnson was called and being set to the Bar was discharged from his recognizance by proclamation, there appearing no prosecution against him.

John Campbell being called, and not appearing, is ordered by the Magistrates that his recognizance escheated in the Court of King's Bench.

[Four other cases disposed of.]

The Court adjourned till Tuesday, 8th November next. Then to meet at the house of James Kemp in Fredericksburg.

COURT OF QUARTER SESSIONS HELD BY ADJOURNMENT AT KEMP'S TAVERN, AT FREDERICKSBURG, NOV. 8TH, 1796.

Present :—Alex. Fisher, Peter Vanalstine, Thos. Dorland, Wm. Atkinson, Alex. Chisholm, John Peters, Wm. Johnston, John Embree, Esqrs.

Alex. Clark, Jonathan Miller, and John Howell were sworn in as Magistrates and took their seats.

The Court proceeded to the examination of Rolls of Loyalists delivered from the different Townships and went through the same.

A petition from a number of Freeholders inhabiting the additional lands of Fredericksburg, praying they may be attached to the upper division of the District.

It is ordered by the Magistrates in Sessions assembled, that a line be struck between the additional lands of Fredericksburg and the old Township of Fredericksburg and that the inhabitants residing East of said line be liable to be summoned as jurors at Kingston only, and that the inhabitants west of said line be liable to serve as jurors at Adolphus Town only. It is not to be understood this regulation is to extend to the Circuit Court, &c.

Whereas certain regulations were made by the Magistrates in Quarter sessions assembled at Kingston on the ——— day of ———, for the purpose of preventing accidents by fire in the town of Kingston, it is deemed expedient by the Magistrates

now assembled, the better to carry the said purposes into effect, to order that from and after the publication of this order, every householder in the town of Kingston who shall suffer his or her chimney to take fire shall forfeit and pay the sum of twenty shillings for every time his or her chimney shall take fire, the same to be levied by distress or sale of offender's goods on conviction before any Magistrate on the oath of one credible witness, one half of the said fine to be paid to the informer and the other half to His Majesty his Heirs and Successors.¹

The Court adjourned to Tuesday the 15th day of November then to meet at the town of Kingston.

COURT OF QUARTER SESSIONS HELD BY ADJOURNMENT AT
KINGSTON 15TH NOV'R 1796.

Present :—Richard Cartwright, Thos. Markland, Wm. Atkinson, Esqs.

It appears to the Magistrates in Sessions assembled that on the 12th day of Oct last Allan McLean Esq entered into security himself in £500 and Richard Cartwright Esq and Peter Smith £250 each for the said Allen McLean Esq truly and faithfully performing the duty of Register for the Midland District, and that Alex. Fisher, Esq., Peter Vanalstine, Thomas Markland, Wm. Atkinson and John Peters, Esqrs., five of His Majesty's Justices assigned to keep the Peace in the said district, approved of the said security.

It appears to the Magistrates in sessions assembled that on the 12th of October last Mr. John McLeod entered into security himself in £500 and Joseph Forsyth and Thomas Markland £250 each for the said John McLeod truly and faithfully performing the duty of deputy Register for the Midland District, and that Richard Cartwright, Alex. Fisher, Peter Vanalstine, Wm. Atkinson and John Peters, Esq., five of His Majesty's Justices assigned to keep the Peace in the said District, approved of the said security.²

¹ The authority to prescribe regulations for the prevention of fires, like that for determining the assize of bread, &c., came under the general powers of the Magistrates, most of which have since been transferred to the separate municipalities. The previous regulations with reference to fires, here referred to, do not appear on the records of the Court. From the fact that no date could be given for them, it is probable that they had not been formally recorded.

² In 1795 the first Registry Act was passed under the title of "An Act for the public registering of deeds, conveyances, wills and other incumbrances which shall

COURT OF QUARTER SESSIONS HELD AT ADOLPHUS TOWN, JAN'Y
24TH, 1797.¹

Present :—Alex. Fisher, Thomas Markland, John Peters, Alex. Clark, Alex. Chisholm, John Blasker, Dan'l Wright, Sam'l Sherwood, Peter VanAlstine, Robt. Clark, Thos. Dorland, Caleb Gilbert, John Hewell, Esq's.

Robt. Young, Augustus Spencer and John Stinson were sworn in as Magistrates and took their seats.

The Commission of the Peace was openly read.

The Sheriff returned the precept.

The Grand Jury were called and sworn.

John Embury, Foreman ; Wm. R. Bowen, Alex. VanAlstine, Paul Trompeau, C. Hagerman jr, John Haugh, Tobias Myers, Reuben Beagle, Leonard Myers, Willet Casey, Solomon Haugh jr, John McIntosh, M. Ross, Ruloff Ostrum.

Constables were sworn to attend the Grand Jury.

John Cook, John Wiss and Ruloff Ostrum are excused from serving as Jurors in future on account of their age.

It is ordered by the Magistrates that the sum of £26 currency be levied by assessment from the Counties of Addington and Ontario for Members Wages for the year 1795, for Joshua Booth, Esq., Member for the said Counties.

Likewise £25 for the said Counties for 1796.

AT A SPECIAL SESSIONS OF THE PEACE, HELD AT KINGSTON THE
18TH MARCH 1797, BY THE COMMISSIONERS OF THE HIGHWAYS.

Present :—Thomas Markland and Wm. Atkinson, Esqrs.

Received the accounts and lists of the following overseers.

[Rood work apportioned to various overseers.]

be made, or may affect any lands, tenements, or hereditaments within this Province." (35th Geo. III., Cap. V.) Under this Act registers were to be appointed for each District, who might hold other offices as well. On entering upon their duties, they were to be sworn before the Justices of the Peace of their respective Districts, and were to enter into a recognizance with two or more sureties for £1,000. The sureties were to be approved by five or more Justices of the Peace, by writing, under their hands and seals, to be registered at the next General Quarter Sessions of the Peace. Similar conditions were prescribed for the deputy register to be appointed by the register.

¹ By 36th Geo. III., Cap. IV., the time for holding the Quarter Sessions of the Midland District was changed from the second to the fourth Tuesday of January and April.

KINGSTON, 25TH APRIL, 1797. QUARTER SESSIONS HELD
THIS DAY.

Present :—Alex. Fisher, Thomas Markland, Wm. Atkinson, Joshua Booth and Robert Clark, Esqrs.

The Commission of the Peace was openly read.

The Sheriff returned the precept.

The Grand Jury were called and sworn.

Jos. Forsyth, Foreman ; P. Smith, B. Seymour, Wm. Robins, Jas. Anderson, D. Brass, R. Wilkins, J. Frazer, J. Hawley, P. Grass, N. Herkimer, S. McKay, J. Carscallen, J. Richards, S. Hawley.

Wm. Ashley and M. Dederick, Constables, were sworn to attend the Grand Jury.

APRIL 26TH.

Present :—The same Justices and Peter VanAlstine and Alex. Clark, Esqrs.

The Magistrates in Sessions assembled ordered that a full rate be levied on the inhabitants of this District for the ensuing year.

The Magistrates in Sessions assembled recommend Joseph Anderson of Kingston and Alexander VanAlstine of Adolphus Town, as proper persons to be appointed Coroners for this District.

The Magistrates in Sessions assembled order that the sum of £11 6 3 be paid by the Treasurer to Mr. R. Q. Short, being so much of his account allowed for his attendance on Terence Dunn.

Also the sum of £2 10 to Daniel Wright, Esq., being so much expended by him for Ann Merritt on account of the District.

Also the sum of £7 2 3½ to Mr. Jos. Anderson, being the amount of his account as Church Warden.

Also the sum of £1 10 to the widow Angus Taylor being so much of her account allowed for boarding Terence Dunn.

Also the sum of £10 5 to John Cannon being, the amount of his two accounts.

Also the sum of £6 1 8 to Philip Swick, being the amount of his account for Boarding David Vanderheyden.¹

¹ These various accounts are connected with the relief of the poor of the District

Also the sum of £20 3 to Poole England, being the balance of his account as Clerk of the Peace allowed.

Also the sum of £0 15 to Sheldon Hawley as Town Clerk of Ernest Town for the year 1797.

Also the sum of £0 15 to Wm. Bell as Town Clerk of Fredericksburg for 1797.

Also the sum of £0 10 to Arch. Campbell as Town Clerk for Adolphus Town for 1797.

It is ordered by the Magistrates in Sessions assembled that John Ferguson be not assessed in the Township of Kingston for the year 1796, as it appears to them that he had no property in the Township at that time and that he was assessed in the Township of Sidney.

On the petition of Andrew Loyst the Magistrates are pleased to allow him to keep an inn and house of public entertainment in the Township of Fredericksburg.

The Magistrates in Session assembled examined the Treasurer's accounts, which being approved of are ordered to be filed in the Clerk of the Peace's office.

Constables appointed for the year 1797—

Addington—D. Williams sen'r, Barnabas Huff.

Amherst—Colin McKenzie sen'r.

Thurlow—Jos. Walker.

Lower Part of Marysbury—Jas. Gerolomy, Wm. Harrison Jun'r.

Adolphus Town—Sam'l Brock, Jas. Cuniff.

Kingston—Jas. Dawson, Alex. McDonald.

Township of Kingston—Micajah Purdy, John Hominy.

Pittsburg—John Milton Sen'r.

Fredericksburg—Jacob Finkle, Jos. Kemp, Geo. Sills, Thos Richeson.

Richmond—Lambert Vanalstine.

ADOLPHUS TOWN JULY 11TH 1797. QUARTER SESSIONS HELD
THIS DAY.

Present :—Alex. Fisher, P. VanAlstine, T. Dorland, M. Pruyn, J. Peters, D. Wright, A. Chisholm, J. Miller, Esqs.

The Commission of the Peace was openly read. The sheriff returned the precept. The Grand Jury were called and sworn.

John Cuniff, foreman, D. Conger, T. Goldsmith, W. Smith, J. Ferguson, A. Campbell, W. Harrison, A. Maybe, C. Vanhorn, W. More, P. Huff, B. Clap, W. Hale, M. Slot, S. Huff sr., S. Conger, A. Defoe, J. Wright, W. Ross.

JULY 12TH.

Daniel Frazer, Esq., was sworn in as a Magistrate.

The Magistrates in Sessions assembled directed that the Township of Marysburg should be a division by itself, for the purpose of holding Courts of Request, and that the Townships of Sophiasburg and Ameliasburg, jointly, should form a division, and that the Magistrates within those Townships should preside in those Courts.¹

COURT OF QUARTER SESSIONS, KINGSTON, 10TH OCT. 1797.

Present :—R. Cartwright, J. Peters, A. Fisher, A. McDonell, J. Booth, Wm. Atkinson, T. Markland, Esqrs.

The Commission of the Peace was openly read.

The Sheriff returned the precept.

R. Macaulay, Foreman ; J. Cumming, W. Robins, J. Russel, J. Franklin jr, J. Caldwell, J. Fraser, P. Daly, F. Prime, J. Miller, M. Clarke, S. McKay, H. Simmons, W. Cottier, P. Grass, S. Hawley, D. Hawley, R. Wilkins, A. McGuin, Geo. Murdoff.

The Magistrates in Sessions fined the following Constables Twenty Shillings each for non-attendance :—M. Purdy, T. Miller, C. McKenzie, J. Finkle, B. Huff.

OCT. 12TH.

[The following sentence was given for petit larceny.]

The Court sentence Wm. Newberry and Caleb Williams to receive each Forty lashes, at the public whipping post in Kingston, on their bare backs.

[For misdemeanour.]

The Court sentence Nicholas Tudor to sit in the stocks for two hours.

It is ordered that the sum of Twenty-Two Pounds Ten Shillings be levied from the County of Prince Edward and the Township of Adolphus in the County of Lenox, for the payment of member's wages.

¹ This alters the arrangement made by the Court on April 10th, 1794.

COURT OF QUARTER SESSIONS HELD AT ADOLPHUS TOWN
23RD JAN. 1798.

Present :—R. Cartwright, J. ———, P. VanAlstine, A. Spencer, J. W. Myers, A. Fisher, T. Dorland, C. Gilbert, J. Miller, P. Smith.

Henry Spencer of Richmond is appointed to seal measures.

It is ordered by the Magistrates in Sessions that the sum of Eighteen Pounds be levied by assessment from the Counties of Lenox, Hastings and Northumberland, for Member's wages.

MONDAY, 19TH MARCH, 1798, AT A SPECIAL SESSIONS.

Present :—R. Cartwright, Thos. Markland, Wm. Atkinson, Esqrs.

[Apportionment of work to road overseers.]

COURT OF QUARTER SESSIONS, HELD AT KINGSTON, TUESDAY
THE 24TH APRIL, 1798.

Present :—R. Cartwright, Wm. Atkinson, R. Clark, Alex Fisher, T. Markland, D. Wright.

The Commission of the Peace was openly read. The Sheriff returned the Precept. The Grand Jury was called and sworn.

Robt. McCawlay, foreman, J. Cumming, Wm. Robins, T. Fraser, N. Briscoe, Wm. Fairfield Jun'r, M. Hawley, J. Miller, F. Hugh, I. Hawley, G. Carscallen, J. Williams, J. Sharpe, C. Park, E. Phillip, W. Bell.

APRIL 26.

It is ordered by the Magistrates in Sessions that a full [rate] be levied from the Midland District for the year 1798.

It is ordered that in future the salary of the Gaoler shall be £25 annually.

The Sheriff paid the fines of Micajah Purdy, and Barnabas Hough, Constables for non-attendance, eight dollars.

It is ordered by the Magistrates in Sessions that the sum of Twelve Pounds Four Shillings and Tenpence Half-penny, be paid to the Sheriff of the Midland District.

That the sum of Fifteen Pounds be allowed to Allan McLean Clerk of the Peace.

That the sum of 13 Shillings be allowed to the town clerk of Fredericksburgh, Wm. Bell.

That the sum of 15 Shillings be allowed to the town clerk of Kingston, Jos. Pritchard.

That the sum of Ten Shillings be allowed the town clerk of Adolphus Town.

[Various other sums for objects not specified.]

Constables to serve for the year 1798 to April 1st, 1799.

[List similar to those already given.]

In pursuance of the statute a Jury was called to ascertain the value and damage done to Jno. Hart by altering and making a road through his improved ground.

Jury called and sworn.

The Court, having heard the evidence, charged the jury.

The Jury withdrew to consider of their verdict, and, having returned into Court, by their foreman Nicholas Amy, find the sum of Five Pounds due to John Hart in consequence of the alteration of the road through his improved ground.¹

COURT OF QUARTER SESSIONS, HELD AT ADOLPHUS TOWN,
JULY 10TH, 1798.

Magistrates present :—A. Fisher, J. Miller, P. Smith, T. Dorland, P. VanAlstine, B. Crawford, A. Chisholm.

[Grand Jury sworn as usual.]

On application of Slaight Sage, he is permitted by the Magistrates in session to keep a ferry across the river Nappane.

Foot passengers to pay 3d.

Horse and man 7d.

On application of John Smith he is permitted to keep a ferry from Murray at

8d. for a man and horse.

4d. for a foot passenger ¹

COURT OF QUARTER SESSIONS, HELD AT KINGSTON, 9TH OCT. 1798.

Present :—R. Cartwright, T. Markland, A. Fisher, Wm. Atkinson.

It is ordered by the Magistrates in session that the sum of

¹ By section IV. of 33rd Geo. III., Cap. IV., provision was made for the alteration of roads, where the necessity for it is sworn to by the majority of a jury of twelve principal freeholders of the District, summoned on the warrant of two Justices. Section VII of the same Act provides for the making of recompense to the owners of enclosed or improved lands, through which the altered road may pass. The Road Commissioners are authorized to agree with the owners as to the amount of recompense to be made, and in case they are unable to agree, the matter is to be referred to a jury of twelve persons empaneled in the usual manner.

twenty-eight pounds ten shillings be allowed to Mr. David M. Rogers for his wages as member for the County of Prince Edward and part of the County of Lenox.

A warrant issued to Mr. John Cannon high Constable for ditto.

COURT OF QUARTER SESSIONS, HOLDEN AT ADOLPHUS TOWN,
22ND JANUARY, 1799.

Present :—A. Fisher, B. Crawford, A. Chisholm, J. W. Myers, S. Sherwood, J. Embury, J. Stinson, Jr, P. VanAlstine, A. Clarke, R. Clarke, A. Spencer, T. Thomson, D. Wright.

[A large docket disposed of during three days.]

AT A SPECIAL SESSIONS, HELD AT KINGSTON, 25TH MARCH, 1799.

Present :—Richard Cartwright, Thomas Markland, Esqs.
[Apportionment of roads for overseers.]

COURT OF QUARTER SESSIONS, HELD AT KINGSTON THE
23D APRIL, 1799.

Magistrates present :—R. Cartwright, A. Fisher, T. Thomson, Wm. Atkinson, Thos. Markland.

On application of James Cannon, a bound apprentice to Emmerson Busby a hatter of the town of Kingston, praying to be discharged from his indenture for want of sufficient food, and that he is employed as a servant and not at the trade of a hatter.

Mr. Peters counsel for James Cannon.

It appearing to the Magistrates in session that no regular process had issued from the Court, they could not take cognizance of the complaint until the opposite party had notice. But Mr. Hagerman as Counsel for Emmerson Busby, undertaking that he should be present to-morrow, the Magistrates did not issue any process to bring the said Emmerson Busby before them in session.

WEDNESDAY, 24TH.

James Cannon appeared.

Emmerson Busby appeared to answer to the complaint of the said James Cannon, and having proved nothing whereby to clear himself of the said complaint, but, on the contrary, the said

¹ Up to 1797 no regulation had been made as to ferries, which in a region like that of the Midland District were necessarily numerous. In that year, however, an Act was passed (37th Geo. III. Cap. X) which authorized the Justices in Quarter Sessions to make and ordain such rules and regulations as should be deemed necessary and proper to be observed by persons keeping ferries, and also to establish and assess the rates or fees to be taken for ferrying. A table of these fees was to be posted up at the ferrying place, and penalties were appointed for overcharging.

James Cannon having given full proof of the truth of the said complaint to the satisfaction of the said Court. We, therefore, whose hands and seals are hereunto set, being four of His Majesty's Justices of the Peace for the Midland District in Sessions assembled, do order, pronounce and declare that the said apprentice shall be, and is hereby discharged and freed from the said apprenticeship, because it appears in evidence that the said apprentice has been employed by his said master Emmerson Busby rather as domestic drudge than in learning his trade, and further because he does [not] appear to have been provided with sufficient food.

And this is to be a final order betwixt the said master and apprentice, anything contained in their indentures of apprenticeship otherwise to the contrary notwithstanding.

Given under our hands and seals at Kingston, 24th April, 1799

R. Cartwright,
W. Atkinson,
T. Markland,
T. Thomas.¹

It is ordered by the Magistrates in sessions that a full rate be levied for the year 1799.

25TH.

It is ordered by the Magistrates in sessions that the following sums be paid by the Treasurer of the District :

James Williams	-	-	-	-	-	£3	9	5d.
William Coffin	-	-	-	-	-	1	16	0
Town Clerk County of Addington and Ontario						15	0	
John Cannon	-	-	-	-	-	29	17	3
M. McLean	-	-	-	-	-	15	0	0
David Williams	-	-	-	-	-	2	5	3

¹ The authority for this action of the Justices was derived directly from the famous Statute of Labourers, 5th Eliz. Cap. IV. Section 35, which provides that on complaint being made to a Justice of the Peace by an apprentice, against his master, the master may be required to appear at the next Sessions of the Peace; "And upon his appearance and hearing of the matter before the said justices, or the said mayor or other head officer, if it be thought meet unto them to discharge the said apprentice of his apprenticeship, that then the said justices, or four of them at the least, whereof one to be of the quorum; or the said mayor or other head officer, with the assent of three of his brethren, or men of best reputation within the said city, town corporate or market-town, shall have power by authority hereof, in writing under their hands and seals, to pronounce and declare, That they have discharged the said apprentice of his apprenticeship, and the cause thereof."

It will be observed that the decision given strictly follows the requirements of this act.

Jos. Anderson	-	-	-	-	-	1	8	4
John Cummings to T. Ferguson, Jun.	-	-	-	-	-	8	0	1½
D. Plumm	-	-	-	-	-	2	18	0
Thos. Markland	-	-	-	-	-	2	8	0
Robt. Clark	-	-	-	-	-	1	15	0
N. Hagerman	-	-	-	-	-	10	0	0
Leonard Soper	-	-	-	-	-	6	8	0

Constables chosen for the Townships for the ensuing year.
[List follows.]

THE COURT OF QUARTER SESSIONS, HELD AT ADOLPHUS TOWN,
THE 9TH JULY, 1799.

Present :—Alex. Fisher, B. Crawford, J. Miller, T. Dorland, J. Peters, J. W. Myers.

[At this session one of the Magistrates, J. W. Myers, defendant in a case, apparently of assault and battery, is found guilty and fined five pounds.]

It is ordered by the Magistrates in sessions that the sum of Fifteen Pounds be levied from the County of Frontenac for member's wages for the year 1797.

[The same sum is levied for 1798, and twenty pounds for 1799, from the County of Frontenac for member's wages.]

COURT OF QUARTER SESSIONS, HELD AT KINGSTON, 8TH OCT. 1799.

Magistrates Present :—R. Cartwright, A. Fisher, T. Markland, T. Thomson, W. Atkinson.

The Magistrates fine James Jackson for non-attendance as a Constable, Twenty Shillings.

COURT HELD AT ADOLPHUS TOWN, 28TH JANUARY, 1800.

SPECIAL SESSIONS, 24TH MARCH, 1800. [KINGSTON.]

Present :—R. Cartwright, Thos. Markland, Wm. Atkinson.
[Receiving accounts of Road Overseers and assigning work.]

COURT OF QUARTER SESSIONS, HELD AT KINGSTON,
22ND APRIL, 1800

Magistrates present :—R. Cartwright, T. Dorland, W. Atkinson, T. Markland, D. Wright, Alex. Clarke. D. Fraser, J. Miller, T. Thomson, J. Booth.

23rd. It is ordered by the Magistrates in Sessions that three-

fourths of a rate be levied from the Midland District for the year 1800.

It is ordered by the Magistrates in Sessions that a sum not exceeding forty-pounds, be paid by the Treasurer of the Midland District to M. Dorland, M. Fisher, and Peter VanAlstine, Esquires for the use of the Court House in Adolphus Town.

24th. It is ordered that the following sums be paid to the undermentioned persons :

Thomas Markland	-	-	-	-	-	£61	4	1 $\frac{1}{4}$
Titus Fitch	-	-	-	-	-		12	0
Wm. Ashley	-	-	-	-	-		18	0
Town Wardens, Kingston	-	-	-	-	-	23	4	9
John Cannon	-	-	-	-	-	2	0	0
Geo. Barns	-	-	-	-	-	1	16	2
John Cannon	-	-	-	-	-	31	10	0
Town Wardens, Sydney	-	-	-	-	-	5	0	0
Clerk of the Peace	-	-	-	-	-	15	0	0
Wm. Coffin	-	-	-	-	-	1	12	0
R. Cartwright	-	-	-	-	-	38	3	3 $\frac{1}{2}$
Town Clerk, County of Addington	-	-	-	-	-		15	0
“ Marysburgh	-	-	-	-	-		10	0
“ Fredericksburgh	-	-	-	-	-		15	0
“ Adolphus Town	-	-	-	-	-		10	0
“ Kingston and Pittsburgh	-	-	-	-	-		15	0
“ Richmond	-	-	-	-	-		10	0
Town Wardens, Marysburgh	-	-	-	-	-	17	9	3

Mr. John Cannon, high Constable for the year ensuing.

[List of township Constables follows.]

COURT OF GENERAL QUARTER SESSIONS OF THE PEACE FOR THE
MIDLAND DISTRICT, HELD AT ADOLPHUS TOWN ON
TUESDAY, THE 8TH OF JULY, 1800.

Present :—Alex. Fisher, T. Dorland, C. Gilbert, A. Clarke,
J. Miller, D. Wright, A. Spencer, J. Embury.

[Long list of cases of assault and battery disposed of.]

JULY 10TH.

On application of Mr. Robert McDowall, a Presbyterian

minister, a certificate was given him agreeably to the act of the Province.¹

COURT OF GENERAL QUARTER SESSIONS OF THE PEACE FOR
THE MIDLAND DISTRICT, HELD AT KINGSTON ON
14TH OCT. 1800.

Present :—Richd Cartwright Esq Chairman, Alex. Fisher, Alex. Clarke, J. Cumming, Arch. McDonell, T. Markland, P. Smith. 15th. It is ordered by the Magistrates in sessions that the sum of twenty-three pounds ten shillings be levied from the Counties of Lenox, Hastings and Northumberland for members wages for the year 1800.

AT THE COURT OF GENERAL QUARTER SESSIONS OF THE PEACE,
HELD AT ADOLPHUS TOWN ON THE TWENTY SEVENTH
DAY OF JANUARY, 1801.

Present :—Alex. Fisher Esq Chairman, Thos. Dorland, A. Clark, J. Stinson, J. Cumming, J. Miller, J. Peters, B. Crawford, P. Smith.

¹ The question as to the form of a legal marriage was one which agitated the Province of Upper Canada from its first settlement. There being no clergymen in the western districts in the earlier days of their history, marriages commonly took place before one or another of the military officers at the various posts. But among the poorer settlers, or those at a considerable distance from the posts, the parties to the marriage sometimes dispensed with any ceremony, and simply "took each other's word for it," as one of them put it. Where, however, any question arose as to the inheriting of property by the children of the early settlers, no marriages but those solemnized by clergymen of the English and Roman Catholic Churches were regarded as legal. (See a Report on the Marriage Law in Upper Canada by Richard Cartwright, Jr., given in full in the Canadian Archives Report for 1891, p. 85.) In order to remedy this hardship, there was introduced in the first session of the first parliament of Upper Canada, a bill to legalize past marriages and make more liberal provision for the future. But Simcoe, regarding the English Church establishment as indispensable in securing the dependence of the colonies on the mother country, strongly opposed the measure. The result was that a compromise act was passed in the following session, 33rd Geo. III Cap. V. This rendered legal all marriages solemnized, according to the forms of the Church of England, by Justices of the Peace, where no clergyman of the Church of England was available within eighteen miles. All dissenting ministers, however, were denied the right to perform legal marriages until 1798, when the act, 38th Geo. III Cap. IV, was passed. In virtue of this act, ministers of the Church of Scotland and Lutheran and Calvinist ministers were allowed to solemnize legal marriages on certain conditions. They were required to appear before at least six Justices in Quarter Sessions, take the oath of allegiance, be vouched for by at least seven respectable persons of their congregations, and pay a fee of 5s to the Clerk of the Peace, when they received a prescribed certificate or licence giving them the necessary authority. The act also rendered valid all previous marriages performed by such ministers. The Rev. Robert McDowall, here referred to, was the first Presbyterian minister in the district. His marriage register is preserved in the Library of Queen's University.

A Licence from the Sessions was given to Mr. John G. Wigant, authorizing him to be a Lutheran Minister at the recommendation of William Beunher, Martin Fraleigh, Michael Smith, Jonas Amy, Ludovick Hartman, Conrad Borgand, Charles Keller.

28th Jan. It is ordered by the Magistrates in Sessions that the sum of fifteen pounds ten shillings be levied from the inhabitants of the County of Frontenac for Edward Jessup, Esq for Member's wages for the year 1800.

[Eleven pounds levied from same County for same member for year 1799.]

It is ordered by the Magistrates in Sessions that the sum of Twenty-three pounds ten shillings be allowed to William Fairfield Esq for the County of Addington and Ontario for the year 1800.

[Twenty-two pounds from same Counties for same member, apparently for 1799.]

SPECIAL SESSIONS HELD AT KINGSTON, 30TH MARCH, 1801.

Magistrates Present :—R. Cartwright, T. Markland, P. Smith, Esqs.

The Road Masters were called upon to produce their accounts for the year 1800.

[Accounts follow and sections are assigned for following year.]

COURT OF GENERAL QUARTER SESSIONS OF THE PEACE, HELD AT
KINGSTON THE 28TH OF APRIL, 1801.

Magistrates Present :—Richard Cartwright, Esq., Chairman, Alex. Fisher, Thos. Markland, Wm. Atkinson, Thos. Dorland, Caleb Gilbert, Bryan Crawford, Joshua Booth, John Cumming, Dan'l Wright, John W. Myers.

¹ See previous note. The names of seven persons required to testify to the minister's position are here given.

[A number of accounts passed, and constables appointed for the subordinate municipalities.]

April 30th. Court gave permission to John Kemp and Garret D. Clute to obtain licences for keeping public houses in the Township of Fredericksburgh.

It is ordered by the Magistrates in open Sessions assembled, that the sum of Four Hundred Pounds be levied by assessment on the Real and Personal Property of the inhabitant householders of the Midland District in the proportion of three fourths of a rate. Given under our hands and seals in open Sessions at Kingston, this twenty-eighth day of April in the year of our Lord one thousand eight hundred and one.

[The names of the Magistrates follow.]

AT A COURT OF GENERAL QUARTER SESSIONS OF THE PEACE
HELD AT ADOLPHUSTOWN THE 14TH JULY, 1801.

Magistrates Present :—Alex. Fisher, Esq. Foreman, Thos. Dorland, J. Miller, M. Pruyn, J. Peters, N. Lazeir, J. W. Myers, J. Embury.

Isaac Garret, Isaac Huff, James Simpson and Joseph Walker petitioned for Licences to keep inns. Granted licence.

AT A COURT OF QUARTER SESSIONS, HELD AT KINGSTON THE
13TH OCTOBER, 1801.

Magistrates Present :—Richard Cartwright, Alex. Fisher, P. Smith, D. Fraser, T. Markland, D. Wright, J. Cumming.

It is ordered by the Magistrates in Sessions that the sum of twenty-six pounds ten shillings be allowed to Timothy Thomson Esq. member of Parliament for the Counties of Addington and Lenox for the year 1801.

It is ordered by the Magistrates in Sessions that the sum of twenty-six pounds ten shillings, be allowed to Ebenezer Washburn Esq. member of Parliament for the County of Prince Edward.

Oct. 14th. It is ordered by the Magistrates in Sessions that the sum of twenty-six pounds ten shillings be allowed John Ferguson Esq. member for the County of Frontenac for the year 1801.

Phineas Bean obtained leave for a licence, for the township of Kingston.

Joseph Huffman also obtained leave for a licence for the township of Ernest Town.

AT A COURT OF QUARTER SESSIONS, HELD AT ADOLPHUSTOWN
THE 26TH JANUARY, 1802.

Magistrates Present :—Alex. Fisher Esq, Dan'l Wright, A. Spencer, T. Thomson, Alex. Clarke, H. Spencer, B. Crawford, T. Dorland, J. Peters.

Jan. 27th. Public Notice was given in Court that Asa Turner applies for a Certificate as a Calvinist Minister at the next Quarter Sessions of the Peace for the Midland District, for the Townships of Sydney, Thurlow, Ameliasburgh and Rawden.

His Majesty's Justices of the Peace in general Quarter Sessions assembled, do make and ordain the following rules and regulations to be observed and followed by Samuel Hitchcock attending and having charge of a Ferry from the house of the said Samuel Hitchcock on the Grand Island opposite Kingston, agreeable to an Act of the Legislature of the Province of Upper Canada, passed in the thirty-seventh year of his Majesty's reign entitled an Act for the regulation of Ferries, and do establish and assess the following rates and fees to be demanded and received by the said Samuel Hitchcock for the passage of persons, cattle, carriages, or wares thereat.

1st. That from and after the first day of May next the said Samuel Hitchcock shall, under these regulations, so long as they are found by the Sessions to answer the purpose intended, keep a regular ferry from his house on said island to Kingston.

2nd. That on or before the first day of May next the said Samuel Hitchcock shall furnish proper and complete crafts for easy ferrying of all passengers.

3rd. That he shall be equally attentive at all reasonable hours to the call of a single person as to that of a greater number, and also be ready at a short notice and ferry such person or persons, cattle, or carriages or wares.

4th. That the following fees may be demanded and received,

For a single person,	-	-	-	-	5s.
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Two or more persons,	-	-	-	-	3s. each.
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Man and horse	-	-	-	-	-	7s. 6d.
Horse, ox or cow,	-	-	-	-	-	5s.
A pair of oxen, horses or cows	-	-	-	-	-	8s. 6d.
A man, a pair of horses and carriage,	-	-	-	-	-	13s. 6d.
For every 112 lbs. weight ferried along with a person,	-	-	-	-	-	6s.

SPECIAL SESSIONS HELD AT KINGSTON 27TH MARCH, 1802.

Present :—R. Cartwright, J. Forsyth, T. Markland, J. Cumming.

[Returns received from road masters and work apportioned for the coming season.]

AT A COURT OF GENERAL QUARTER SESSIONS OF THE PEACE FOR THE MIDLAND DISTRICT, HELD AT KINGSTON THE 27TH APRIL, 1802.

Present :—R. Cartwright, Chairman, T. Dorland, T. Thomson, A. Clark, T. Markland, A. McDonell, J. Forsyth, D. Wright, R. Clark, B. Crawford, P. Smith, H. Spencer, J. Booth.

April 28th. Samuel Corn presented a petition for a ferry from Wolfe Island to the American Shore. Allowed at the following rates :

A single person,	-	-	-	-	-	5s.
Two or more persons,	-	-	-	-	-	4s. each
Man and horse,	-	-	-	-	-	10s.
Man, pair of horses and carriage,	-	-	-	-	-	13s.

Thomas Dorland Esq. presented a petition for a ferry from the Fourth Township to Vanalstine's Mills.

A single person,	-	-	-	-	-	9d.
Two or more persons,	-	-	-	-	-	7½d. each
A man and horse,	-	-	-	-	-	1s. 3d.
A yoke of cattle,	-	-	-	-	-	1s. 6d.
Cows, or horned cattle,	-	-	-	-	-	7½d. each
Sheep or pigs,	-	-	-	-	-	3d. each
Every bushel of grain,	-	-	-	-	-	1d.
Every carriage,	-	-	-	-	-	1s. 10d.

The above rates are allowed.

John Vanalstine presented a petition for a ferry,
6d. for each man.

1s. 3d. man and horse.

9d. an ox.

7½d. cow.

2d. pig or sheep.

The above rates were allowed.

Joseph Kemp, Henry Betslay (?) Stephen Fairfield, and Samuel Hichcock, prayed for inn-keeper's licences. The Sessions allowed the same.

The following sums of money were allowed by the Magistrates in sessions, to be paid by the Treasurer.

[Extracts only.]

To pay what is due to Adolphus Town Court House	£	5	0	0
Town Warden, Marysburg	-	-	13	11 0
“ Ernest Town,	-	-	13	10 0
“ Kingston,	-	-	13	6 3
“ Sophiasburgh,	-	-	5	10 0
“ Sidney,	-	-	14	0 0

Constables appointed for the year ensuing.

[List follows.]

It is ordered by the Magistrates in open Sessions assembled, that the sum of four hundred pounds be levied by assessment on the real and personal property of the inhabitant householders of the Midland District in the proportion of three fourths of a rate.

[Dated 27th April, 1802 and signed by Magistrates.]

AT COURT OF QUARTER SESSIONS HELD AT ADOLPHUS TOWN ON
THE THIRTEENTH DAY OF JULY, 1802.

Present :—Alexander Fisher, Bryan Crawford, J. Miller, J. Peters, J. Embury, T. Dorland, Alex. Clarke.

The Magistrates in Sessions allow Edward Barker to keep a Ferry from Adolphus Town, where he lives, to the opposite house in Adolphus Town, at the following rates :

A single man 9d. Two or more persons 7½d. each. Man and horse 1s. 3d. One yoke of oxen 1s. 6d. Every horse or horned creature 7½d. each. Every sheep or hog 3d. each. Every cart, waggon or slay 1s.

The Magistrates in Sessions allow Nicholas Kessels (?) to keep a ferry from his house in Sophiasburgh to the shore at Adolphus Town, agreeable to the rates above stated.

Permission is given to Caleb Benedict to obtain a licence, for the Township of Thurlow.

AT A COURT OF GENERAL QUARTER SESSIONS OF THE PEACE,
HELD AT KINGSTON ON TUESDAY THE TWELFTH DAY OF
OCTOBER, 1802.

Present :—Richard Cartwright, Esq., Chairman, Alex. Fisher, Wm. Atkinson, J. Booth, J. Cumming, T. Markland, Esqs.

It is ordered by the Magistrates in Sessions that the sum of twenty-eight pounds be levied from the incorporated Counties of Lenox and Addington for Timothy Thomson, M.P. for the said Counties for the year 1802.

It is ordered by the Magistrates in Sessions that the sum of twenty-seven pounds be levied from the County of Frontenac for John Ferguson, Esq., M.P. for the said County for the year 1802.

AT A COURT OF QUARTER SESSIONS OF THE PEACE, HELD AT
ADOLPHUS TOWN ON TUESDAY THE 25TH JANUARY, 1803.

Present :—Alex. Fisher, T. Dorland, Alex. Clark, J. Miller, Dan'l Wright, H. Spencer, B. Crawford, J. Embury.

Asa Turner applied for a Licence as an Anabaptist Calvinist, and having made due proof to the Magistrates in Sessions, of his Ordination, it was allowed him.

It is ordered by the Magistrates in Sessions that the sum of twenty-eight pounds be levied from the County of Prince Edward, for Ebenezer Washburn, Esq., member of Parliament for said County, for the year 1802.

A Ferry is granted from Cyrenus Park's, in the first concession, at the following rates :

A single person 6d. Two persons or more 4d. each. Man and horse 1s. One pair of horses and carriage 2s. One pair of oxen and carriage 2s. Cows and oxen 6d. each. Sheep and hogs 2d. each.

A ferry is allowed to Benjamin Garow of Ameliasburgh, at the following rates :

For every man 1s. Two or more persons 9d. each. A man and horse 2s. Span of horses with carriage 2s. 6d. A yoke of oxen 2s. 6d. A cow 1s. Every sheep 3d. Every hog 4d.

AT A COURT OF QUARTER SESSIONS HELD AT THE TOWN OF
KINGSTON ON TUESDAY THE 26TH APRIL, 1803.

Present :—Richard Cartwright, Chairman, T. Markland, H.

Spencer, T. Dorland, J. Cumming, D. Wright, R. Clarke, Peter Smith, Jos. Forsyth, Wm. Crawford.

William Crawford Esq. took the oath as a Magistrate and took his seat on the Bench.

APRIL 27TH.

The Grand Jury came into Court and presented bills of indictment against Donald McDonell and James Richardson, also a presentment against slaughter houses in the town as a nuisance.

It is ordered by the Magistrates in Sessions that the sum of eight dollars be deducted from Mr. Beasley's rate for the years 1801 & 1802.

[List of constables appointed.]

The Magistrates in Sessions do authorize the Clerk of the Peace to give the necessary documents for obtaining licences, to such persons in the District as were licenced to keep Public Houses in the preceding year, with the exception of Wm. Brodey (?) who has removed into a house where it is evident no proper accomodations can be had.

It is ordered that the Clerk of the Peace do write to the assessors of Sydney and Thurlow that it was originally the intention of the Magistrates in Sessions on information laid before them to summon not only the assessors for a neglect of duty, but also a number of the inhabitants entered upon the list for giving in a false return of their property. But that it having been represented that they were led into a mistake by misrepresenting the word arrable in the Act, they are willing to give them an opportunity of correcting this mistake, and inserting in the list the whole of their cleared land, which is evidently the intention of the Act. For this purpose, and to give time for the other assessments, not yet received, to come in, the session will adjourn till Friday, the 20th day of May, to meet at Kingston.¹

It is ordered by the Magistrates in Quarter Sessions assembled, that the proposals of Francis Rochleau for building a

¹An Act had just been passed on March 5th, 1803, 43rd Geo. III, cap. 12, which entirely altered the assessment for the Province. Instead of classifying the inhabitants in groups or lists according to the aggregate property which each possessed, the assessors were now required to make a list of each individual's possessions in certain specified lines, such as lands, houses, mills, shops and stores, live stock,

stone wall about the Court House, at the rate of 22 shillings and 6 pence, be accepted, and that the said wall shall enclose two-fifths of an acre, and that John Cumming and Joseph Forsyth, Esquires, be appointed to see the work be well and efficiently executed and certify accordingly. The wall to be ten feet above the surface and three feet under, unless where it may be a rock, and the wall to be two feet thick.

M. McDonell of Kingston allowed to have a licence to keep a public house.

The Magistrates in Sessions do order the following sums of money to be paid to the undermentioned persons :

To Mr. Brass, for Court House	-	-	£33	10	5 $\frac{1}{4}$
Do for extra plank furnished	-		8	2	3
Town Wardens, Marysburgh, for support of Lovel			14	12	6
Town Wardens, Kingston, for the support of Cain			5	16	5
Making Shutter and Stocks for the Court House at					
Adolphus Town, to T. Dorland, Esq.	-	-	6	0	0
Mr. Markland's account for School House in Kingston			4	6	6
Mr. Cartwright's account, Gaol, Kingston	-		4	13	1 $\frac{1}{2}$
Clerk of the Peace	-	-	15	0	0
Goaler	-	-	25	0	0
Coroner's account	-	-	7	0	0
Seller's account for clearing rubbish from the Goal			1	5	0
Goaler's account, for fire wood, &c.	-		13	10	4
High Constable's allowance	-	-	2	0	0
Wm. Ashley	-	-	1	3	4
Crier and Constable at Land Board	-	-	1	16	0
Wm. Robinson for a tub for the Goal	-		7	6	
Town Clerk, Adolphus Town	-	-	10	0	
Do. Kingston	-	-	15	0	
Do. County of Addington	-	-	15	0	
Do. Sophiasburgh	-	-	10	0	
Town Wardens, Ernest Town	-	-	13	0	0

&c., and for each unit of such property a definite assessment was fixed by the Act regardless of variations in location, cost, or market value. Thus every acre of uncultivated land was assessed at one shilling, and every acre of arable, meadow or orchard land at one pound. The people of Sydney and Thurlow evidently returned under the heading of uncultivated land most of their new clearings which had not yet been brought under regular cultivation, an interpretation which the Magistrates promptly reject.

Mr. Brass's account, salaries of officers, and expenses of maintaining prisoners to be first paid.

It is ordered by the Magistrates in Sessions, that the sum of twenty nine pounds ten shillings be paid unto Ebenezer Washburn Esq. member of Parliament for the County of Prince Edward, for his services in Parliament for the year 1803.

It is ordered by the Magistrates in Sessions that the sum of thirty pounds ten shillings be paid to Timothy Thomson, Esq., member of Parliament for the Counties of Addington and Lenox, for his services for the year 1803.

It is ordered by the Magistrates in Sessions that the sum of thirty three pounds be paid to John Ferguson, Esq., member of Parliament for the County of Frontenac, for his services for the year 1803.¹

Mr. Herford, Town Clerk Richmond	-	-	-	s.	d.
				10	0

The rates of the ferry from Kingston to Samuel Hitchcock's on the Grand Island are as follows :

A single man, four shillings. Man and horse, six shillings.

If more than one man, two shillings and sixpence each.

Ox or cow, three shillings and sixpence.

For a carriage, the same.

A sheep, calf, or hog, one shilling.

For every hundred weight, nine pence.²

The session adjourned until Friday the twentieth day of May next.

The Sessions met pursuant to adjournment 20th May.

Present :—R. Cartwright, Esq., John Cumming, Wm. Crawford.

The Assessment Rolls for the townships of Thurlow and Sydney were delivered.

The Sessions adjourned until the first of June.

¹ A change had just been made in the manner of making payment to members of Parliament. By the act of March 5th, 1803, 43rd Geo. III, cap. 11, it was now prescribed that when a member presented the Speaker's warrant to the Quarter Sessions, instead of authorizing the levying of a special rate upon the inhabitants of the riding, which it was left to the high constable to collect and pay over, the necessary sum was to be levied and collected in the same manner as any other assessment, and the Justices were required to issue an order to the District Treasurer to pay the member's wages out of the ordinary funds in his hands.

² This is a re-arrangement and reduction of the rates previously established. See page 44.

The Sessions met the first of June, pursuant to adjournment.

Present :—R. Cartwright, Esq., Thos. Dorland, Wm. Crawford, Joshua Booth.

The Assessment Roll for the Township of Ameliasburgh was received.

The Sessions met the 20th June, 1803.

Present :—R. Cartwright, W. Crawford, J. Cumming.

Permission was given to — Parker, to keep an inn at the Kingston Mills.

The Sessions adjourned until the 23rd June ; and again until 28th June.

The Sessions met pursuant to adjournment.

Present :—R. Cartwright, R. Crawford, Jos. Forsyth.

The rest of the Assessments were produced.¹

COURT OF QUARTER SESSIONS, HELD AT ADOLPHUS TOWN, 12
JULY 1803.

Present :—Richard Cartwright, Esq. Chairman.

Alex. Fisher, Jonathan Miller, Jas. Fulton, Stephen Conger, Dan'l Wright, Hazleton Spencer, Thos. Dorland, Wm. Bell, John Embury, Esqs.

The following constables are fined forty shillings each for non-attendance : Dan'l McKenzie, of Thurlow, John Low and Albert J. Vandusen of Sophiasburgh, and Isaac Garret of the township of Hallowell.

[Oct. sessions at Kingston & January 1804 sessions at Adolphus Town occupied chiefly with cases of breach of the peace.]

[The volume containing the Records from Jan., 1804, to Jan., 1807, is wanting.]

QUARTER SESSIONS HOLDEN AT THE TOWNSHIP OF ADOLPHUS
TOWN 27TH JANUARY 1807.

Magistrates present : Alex. Fisher, Hazleton Spencer, Thos. Dorland, Dan'l Wright, Bryan Crawford, Stephen Conger.

¹Having had a complete return of the rateable property of the District laid before them by the assessors, the Justices in Sessions determined what proportion of a full Rate (one penny in the pound) should be levied in order to afford the estimated expenditure for the ensuing year. Having determined this the lists were handed over to the Collector who proceeded to collect from each ratepayer his due proportion.

[A long list of women barred of their dowers and cases of assault and battery.]¹

COURT OF QUARTER SESSIONS HELD AT THE TOWNSHIP OF KINGSTON ON THE TWENTY-EIGHTH DAY OF APRIL 1807.

Magistrates present: Richard Cartwright Chairman, Alex. Fisher, Thos. Dorland, Thos. Markland, Peter Smith, Wm. Crawford, J. B. Chamberlain, Joshua Booth, W. Crawford.

It is ordered by the magistrates in Sessions, that the sum of three hundred and fifty pounds [is required] for the expenses of the current year, and that half a Rate² be levied for that purpose.

Also the sum of seventy eight pounds ten shillings be raised for the wages of the members of Parliament for the Midland District.

That the sum of twenty two pounds ten shillings be allowed to Thos. Dorland Esq as member of Parliament for the Counties of Lenox and Addington for the year 1807.

That the sum of twenty three pounds ten shillings be allowed unto Allan MacLean, Esq., as member of Parliament for the County of Frontenac.

That the sum of ten pounds be allowed unto David McGregor Rogers, Esq., as member of Parliament for the County of Hastings.

That the sum of twenty-two pounds ten shillings be allowed unto Ebenezer Washburn, Esq., as member of Parliament for the County of Prince Edward.

It is ordered by the Magistrates in Sessions that Abraham King may obtain a license to keep a house of public entertainment for the Township of Ernest Town, at his house in the first concession of Ernest Town.

The Grand Jury came into Court and presented a presentment against John Embury, Jacob B. Chamberlain, and Wm. Bell for a misdemeanor in their office as Magistrates and Commissioners of the Courts of Requests.

The following constables were nominated and approved of for the year ensuing.

[List follows.]

¹Henceforth, where the Sessions are concerned entirely with judicial matters the whole record is omitted.

²That is, one half penny on the pound of the assessed property of the District.

Mr. J. Embury represents that he is rated for 7,000 acres of land and has but 1700 unimproved. If this appears on the Assessment Roll, allowance to be made.

The Magistrates in Sessions made the following orders :

Allowed to I. G. Wigant, on acct. of H. Thisle,	£15	0	0
Allowed to the Town Wardens, Lavele,	-	14	7 4½
Bruin Hough,	- - - - -	3	10 0
Jeremiah Shazier, for Graham,	- - - - -	20	2 3½
Wm. Ruttan,	- - - - -	6	7 6
Paul Gruber, for Filmer,	- - - - -	18	0 0
P. Smith, Town Warden Kingston,	- - - - -	29	15 3
Gaoler,	- - - - -	25	0 0
High Constable,	- - - - -	4	0 0
Gaoler's Contingencies,	- - - - -	11	6 9
Due Francis Rochleau,	- - - - -	52	10 0
Clerk of the Peace,	- - - - -	40	10 0
Geo. Oliver,	- - - - -	2	12 0
Long & Peters,	- - - - -	1	2 10
Coroner,	- - - - -	2	18 4
Isaac Laraway	- - - - -	1	0 0
Town Clerk, Ernest Town & Amherst Island		15	0
Town Clerk, Sophiasburg,	- - - - -	10	0
Town Clerk, Richmond	- - - - -	10	0
Town Clerk, Hallowell	- - - - -	10	0
Town Clerk, Fredericksburgh	- - - - -	15	0
Town Clerk, Kingston & Pittsburgh	- - - - -	15	0
Town Clerk, Adolphustown	- - - - -	10	0
Town Clerk, Ameliasburgh	- - - - -	10	0
Town Wardens, Fredericksburgh	- - - - -	15	11 7¼

QUARTER SESSIONS HOLDEN AT THE TOWNSHIP OF KINGSTON
ON THE 26TH APRIL 1808.

Present :—Richard Cartwright, Chairman, Thos. Markland, Wm. Crawford, John Cumming, Robt. Clark, John Carscallen.

A ferry allowed to be kept by Philip Swick from Thurlow to Ameliasburg at the same rates of Garow's ferry.

The following persons are appointed constables for the year ensuing.

[List follows.]

¹See page 47.

It is ordered by the Magistrates in Quarter Sessions, that on the production of the Treasurer's receipt of his having received the full Rate for any Township, it shall be a sufficient authority for the Clerk of the Peace to deliver up the Collector's bonds.

It is ordered by the Magistrates in Sessions that the following sums of money be paid to the undermentioned persons.

[No particulars given other than names and sums.]

It is ordered by the Magistrates in Quarter Sessions that the sum of twenty eight pounds be levied from the County of Frontenac, for A. McLean for his wages as Member of Parliament, for the year 1808.

It is ordered by the Magistrates in Quarter Sessions that the sum of thirty-four pounds be levied from the County of Prince Edward, for E. Washburn Esq., for his wages as Member of Parliament for the year 1808.

The Sessions adjourned until the 16th May 1808.

The Sessions met pursuant to adjournment.

Present : R. Cartwright, Esq., Chairman, Thos. Markland.

The Sessions do order that half a Rate shall be levied by assessment from the District.¹

Accounts brought forward.

Robert Wilkins, Town Clerk Ameliasburgh	£	0	10	0	
John Ferguson, for the Market House	-	18	10	8	
John Dunham	-	-	2	10	0

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON 11TH
OCT. 1808.

Present : R. Cartwright, Chairman, Thos. Markland, James Cotter, Wm. Crawford, Esqs.

The Magistrates appointed the following Divisions for the Courts of Requests for the Midland District.

The Magistrates in Quarter Sessions assembled direct that the County of Frontenac shall be a Division for holding the Court of Requests.

That the Townships of Ernest Town, Camden, Amherst

¹The assessment act has been once more re-cast. In 47th Geo. III. Cap. 7, which supersedes the previous act but retains the same principle, a more detailed list of rateable property is given, evidently in the attempt to equalize the assessments as far as possible. Yet it remained a very ill-fitting system of taxation. The full Rate remains one penny in the pound.

Island and Sheffield, shall be a Division for holding Courts of Requests for the said Townships.

That the Townships of Fredericksburg, Adolphus Town, Richmond and the Mohawk Village, shall be a Division for holding Courts of Requests for the said Townships.

That the Township of Marysburg shall be a Division for holding Courts of Requests in the said Township.

That the Townships of Hallowell and Sophiasburg shall be a Division for the holding of Courts of Requests.

And that the Townships of Ameliasburgh, Sydney, Thurlow and Rawdon and Huntingdon shall be a Division for holding Courts of Requests for the said Townships.

QUARTER SESSIONS HOLDEN AT ADOLPHUS TOWN, 24TH JANUARY, 1809.

Present :—Alex. Fisher, Chairman, Daniel Wright, James McNabb, Jas. Cotter, Bryan Crawford, John Embury, Reuben Bedall, Jas. Young, Robt. C. Wilkins, Hazleton Spencer.

The Magistrates upon application alter the Divisions for holding Courts of Requests joining Ameliasburg and the County of Hastings together. And in future the County of Hastings shall be a Division by itself, and the Township of Ameliasburgh shall be a Division by itself.

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON, 25TH APRIL, 1809.

Present :—Richard Cartwright, Esq., Chairman, Thos. Markland, Peter Smith, Wm. Crawford, John Embury, Wm. Fairfield, John Carscallen, Dan'l Wright, Hazleton Spencer.

[Various accounts passed but no details given.]

Constables appointed for the ensuing year.]

It is ordered by the Magistrates in Sessions that the sum of twenty-three pounds be allowed to James Wilson, Member of Parliament for the County of Prince Edward excepting the Township of Ameliasburgh.

It is ordered by the Magistrates in Sessions that the sum of twenty-three pounds be levied from the Counties of Lenox and Addington for Thos. Dorland, Member of Parliament.

It is ordered by the Magistrates in Sessions that the sum of twenty-three pounds ten shillings be levied from the County of Frontenac for Member of Parliament's wages.

It is ordered that the sum of eighteen pounds ten shillings be levied from the County of Hastings and the Township of Ameliasburgh for Jas. McNabb, Member of Parliament.

It is ordered that the sum of twenty-three pounds be levied from the County of Lenox and Addington for John Roblin, Member of Parliament.

John Poncet is appointed Clerk of the Market in the place of Zenas Nash.

It is ordered in future that every day, Sundays, Christmas Day and Good Friday excepted, be market days. By order of the Magistrates in Sessions.¹

It is ordered by the Magistrates in Sessions that two thirds of a full Rate be levied from the District for the year ensuing.

The Sessions adjourned until the 22nd day of May 1809.

COURT OF QUARTER SESSIONS HOLDEN AT THE TOWN OF KINGSTON ON THE 24TH DAY OF APRIL IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND TEN.

Magistrates present :—Richard Cartwright, Chairman, Thos. Markland, Dan'l Wright, Wm. Fairfield, Arch. McDonell, Joshua Booth, John Carscallen, Reuben Bedall, Esqrs.

The Magistrates in Quarter Sessions do order and direct that three fourths of a Rate be levied off the inhabitants of the Midland District for the ensuing year.

The Magistrates direct that Christina Ferris may obtain a licence for a tavern at her house in the third concession.

It is ordered by the Magistrates in Quarter Sessions that the following sums of money be allowed to the hereunder mentioned persons and paid from the Treasury.

[List of payments given without particulars other than names.]

¹It is evident from these entries and the expenditure for a market house, that the Magistrates in Sessions had already undertaken to regulate the market in Kingston. Probably there was some record of their action in the missing volume covering the years 1804-1806. There is no mention of a market in the records up to the end of the January Session, 1804. Yet in 1801 an act was passed, 41st Geo. III. cap. 3; "To empower the Commissioners of the Peace for the Midland District, in their Court of General Quarter Sessions assembled, to establish and regulate a market in and for the town of Kingston in the said District." This act gives the Court of Quarter Sessions entire control of the market and all the regulations connected with it. But when they first exercised their powers is uncertain. Before there was a regular market in the town, parts of certain streets were recognized as places where vendors of market produce were to be found, and there an informal market was held.

It is ordered that the sum of twenty five pounds be levied from the County of Frontenac for Allan McLean Esq. member of Parliament representing the said County for the year 1810.

It is ordered that the sum of twenty four pounds be levied from the Counties of Lenox and Addington for Thomas Dorland, Esq. member of Parliament for the Counties of Lenox & Addington.

It is ordered that the sum of nineteen pounds ten shillings be paid and levied from the County of Prince Edward, Ameliasburgh excepted, for James Wilson Esq. Member of Parliament.

It is ordered that the sum of twenty one pounds be raised and levied from the Counties of Lenox & Addington for John Roblin Esq. Member of Parliament for the said Counties.

It is ordered that the sum of twenty four pounds be raised and paid to James McNab Esq. Member of Parliament for the County of Hastings and Township of Ameliasburgh.

Constables appointed for the year 1810.

[List follows.]

The following persons are appointed as surveyors of highways.

Michael Slood of Portland, and David Brass of Kingston, for the County of Frontenac.

Davis Hawley of Ernest Town, John Carscallen of Camden, Peter Detlor of Fredericksburgh, Cyrenius Parke of Fredericksburgh, Elisha Philips of Fredericksburgh, and Paul Trumpour of Adolphustown, for the incorporated Counties of Lenox and Addington.

Matthew Pruyn, Marysburgh, George Baker, Hallowell, Benjamin Way, Sophiasburgh, for the County of Prince Edward.

George Myers, Sydney, & John Caniff, Thurloe (for the County of Hastings).¹

¹ The former arrangements for laying out and keeping in repair the public highways had not been found satisfactory. Hence the Legislature in March 1810 passed a new act, 50th Geo. III. cap 1, repealing all former acts on the subject, and enacting an elaborate measure dealing with the whole matter. This act placed the administration of the roads & bridges in the hands of Surveyors of Highways to be appointed for each County by the Quarter Sessions. Their rights and duties are minutely prescribed, as also the powers of the Justices of the Peace in directing their operations and voting grants in aid of the works.

It is in accordance with this act that the surveyors here mentioned are appointed.

COURT OF QUARTER SESSIONS, 10TH JULY, 1810, AT ADOLPHUS TOWN.

Magistrates Present :—Alexander Fisher, Chairman, Hazleton Spencer, Stephen Conger, Barret Dyer, Jos. Cotter, Daniel Wright, John Embury, Robt. Young, Henry MacDonell.

The Magistrates in Sessions order a Bible and ink stands to be purchased for the use of the Sessions.

The Magistrates allow Griffith Howel a licence to keep an inn at his house in Sophiasburgh.

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON, THE 9TH DAY OF OCTOBER, IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT HUNDRED AND TEN.

Magistrates Present :—Richard Cartwright, Chairman, Joseph Forsyth, Arch. McDonell, Thomas Markland, A. Fisher.

The Magistrates in Quarter Sessions fine Chas. Trump, Thos. Davis, Wm. Thomas, and John Anderson, forty shillings each for non-attendance as Constables at the Sessions.

The Quarter Sessions grant permission to Wm. L. Bowen to have a licence to keep an inn. Also to Robt. Vaughan.

James Adams appointed Clerk of the market, [Kingston.]

COURT OF QUARTER SESSIONS HOLDEN AT ADOLPHUS TOWN, 22ND DAY OF JANUARY, 1811.

The following regulations were established for the ferry between Thurlow and Ameliasburgh.

A single man	-	-	-	-	-	-	-	1s 6d.
A man and pair of horses or oxen with empty carriage	2	3						
For every cwt. of luggage	-	-	-	-	-	-	-	2
Horned cattle per head	-	-	-	-	-	-	-	7½
For every 6 sheep	-	-	-	-	-	-	-	7½

Benjamin Garow to ferry from Ameliasburg to Thurlow.
Philip Swich from Thurlow to Ameliasburgh.¹

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON ON TUESDAY THE 23RD DAY OF APRIL, 1811.

Magistrates Present :—Richard Cartwright, Chairman, Jos. Forsyth, Wm. Crawford, Robt. Clark, Jno. Carscallen, Andrew Kimmerly, Peter Smith.

¹ This is a re-arrangement of the ferry granted to Benj. Garow at the January Sessions 1803.

25TH APRIL.

The Magistrates do order that three fourths of a full rate shall be levied for the ensuing year.

The following persons are nominated to serve the office of constables for the ensuing year.

[List follows.]

It is ordered that the following sums of money be paid from the District Treasury to the undermentioned persons.

It is ordered by the Magistrates in Quarter Sessions that the sum of twenty pounds be paid to the Sheriff of the Midland District, for the year ending April 1811. And in future the same yearly allowance from the treasury of the District, as a compensation for summoning the Juries.

[Extracts only.]

Amount of the Sheriff's acct	-	-	£72	0	0
Town Wardens Kingston	-	-	12	3	0
John Stinson, as member of Parliament			25	10	0
Willet Casey, as member of Parliament			25	10	0
Trustees for the bridge at Thurlow	-		20	0	0
Town Wardens Hallowell for John Cobb			13	12	8
Town Wardens Ernest Town	-	-	13	15	0
Clerk of the Peace	-	-	66	15	0
Mr. Slood surveyor of Roads	-	-	4	10	0

The Quarter Sessions appoint John McIntosh of the Township of Thurlow a surveyor of highways for the County of Hastings.

19TH MAY.

The Sessions allowed the alteration of the roads in Loughborough agreeable to the report of the surveyor of roads.¹

It is ordered that the sum of fifteen pounds ten shillings be paid to Jas. McNabb Esq. Member of Parliament for the County of Hastings and part of the County of Prince Edward.

It being represented by the Commissioners of Highways appointed &c., that the sum allowed by the Legislature for building a bridge over the Little Cataraqui river in the second concession, is very inadequate to that purpose, and that a new bridge is nevertheless indispensable, it is resolved that it will be expedi-

¹ This is in accordance with section 3 of the new Highway Act, 50th Geo. III. Cap. 1.

ent for the said commissioners to proceed and that they will be at all events indemnified out of the District Treasury should the Legislature decline to make any further grant for this object.¹

Thomas Dorland, Esq., Twenty-five pounds ten shillings.
Allan MacLean, Esq., Nineteen pounds.²

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON, THE
EIGHTH DAY OF OCTOBER, 1811.³

Magistrates Present :—Thomas Markland, Foreman, Arch. McDonell, Wm. Robins, Peter Smith, Jos. Forsyth, John Carscallen, Jas. McNabb, John Embury, Wm. Crawford.

The Collector laid before the Sessions an information against persons unknown for bringing into the Province articles prohibited by law.

¹ The Legislature had for some years past been making special grants to the various Districts, for assistance in road and bridge making. Such a system once entered upon tended to develop very rapidly, as was very strikingly shown in Lower Canada.

In 1811, by 51st Geo. III. Cap. 1, the Legislature made a further grant of £3,450 specifying as usual, in the grant to each District, the amount to be expended on each local work. But a new feature in the Act was a provision for the appointment by the executive Government of one or more special Commissioners for each District to apply the government grants. The Commissioners might be assisted, but were not to be interfered with by the Magistrates and overseers of the several Districts. The highways were thus subject to two independent sets of officials.

For the bridge mentioned above, £70 had been appropriated, and the Justices in Sessions might guarantee a further expenditure to the extent of £50, which was the limit of the legal appropriation for any single work in connection with the highways.

² Being their allowance as members of Parliament.

³ The official records of the Court of Quarter Sessions do not include all the measures of the Magistrates in Sessions for the administration of the District. For instance, their relations to Town meetings are not recorded, and other important matters connected with the local administration of subordinate municipalities are also omitted.

One of the most important measures passed by the Magistrates was that for the regulation of the market established in Kingston. Though these regulations are not given in the records of the Court, they were published under official sanction in the *Kingston Gazette* of May 21st, 1811, and are as follows :

" Rules and Regulations, relative to the Market established in the town of Kingston.

Article 1. That the square between St. George's church and the river, in the town of Kingston, shall be the market place, where all butcher's meat, butter, eggs, poultry, fish and vegetables, shall be exposed to sale.

2. That every day in the year shall be a market day, except Christmas, Good Friday and Sundays.

3. That no person shall sell butcher's meat, butter, eggs, poultry, fish and vegetables, from the hour of six in the morning till the hour of four in the afternoon, except in the market, under the penalty of five shillings.

4. That no person shall kill calves or other animals in the market place, or gut fish, or empty bellies or guts of animals therein, under the penalty of five shillings.

5. That no person shall expose for sale any tainted meat or fish, in the market

Proclamation was duly made three times.

A jury was called to assess the damage for a road laid out through improved land in the Township of Loughborough, on complaint of James Kuapp.

The jury having retired from court to consider of their verdict, and having returned, by their foreman, Freeman Burley,

place, under the penalty of five shillings, besides forfeiture of the same, on view of one justice.

6. That no person shall expose fish for sale within the two floored squares of the Market house, but they may be exposed for sale in the intermediate space, upon boards or benches.

7. Whereas there is room for eight butcher's stalls or benches in the market house;—such part of the same as is not already occupied, shall be assigned by lot to the several butchers desirous of occupying the same, and the occupier shall immediately erect stalls or benches not exceeding two feet long and seven feet wide, which shall be uniform.

8. Whereas persons from the country may require moveable benches or stalls, —the same shall not exceed seven feet in length and three feet in breadth; any person placing a moveable bench of greater dimensions in the market house, and neglecting to remove the same immediately after the market is over, shall pay a fine of five shillings, and the said bench may be demolished by order of the Clerk of the market.

9. Every person selling by false weights, shall pay a fine of twenty shillings, and the false weights shall be destroyed.

10. All persons selling provisions or other articles by weight in the market, shall provide themselves with good scales and weights, regularly stamped (within three months from this date, after which if any person shall there weigh with steel-yards or weights not stamped) such person shall pay a fine of ten shillings.

11. Whereas it is expedient to appoint some person to see the aforesaid rules and regulations, or any other that may be hereafter made relative to the markets carried into effect; James Adams, of the Township of Kingston, is hereby appointed Clerk of the market.

12. It shall be the duty of the Clerk of the market to attend to and enforce the execution of all regulations which respect the market, under the penalty of twenty-shillings for every wilful neglect.

13. He shall keep a list of all persons occupying fixed or moveable stalls or benches, which he shall be ready to render to the magistrates whenever they may demand it.

14. When the market house requires repair, or should any person damage the same, he shall immediately make it known to the magistrates, or some one of them.

15. He shall see that butchers and others occupying the market house, do leave no filth therein, and keep the same clean.

16. He shall from time to time examine and see that all weights and measures made use of in the market place are just.

17. The Clerk of the market shall be allowed the following fees: By every butcher occupying a fixed bench or stall, to be paid quarterly in advance, twelve shillings per annum.

By every person keeping a moveable bench or stall for selling butcher's meat, twelve shillings per annum, or nine pence each market day, at the option of such person.

From every person occupying a place for selling fish, six pence per day.

18. And the Clerk shall fix a table of the above fees in some conspicuous place in the market house.

By order of the Magistrates in sessions assembled, at the town of Kingston, in the Midland District, 13th May, 1811,

ALLEN MACLEAN. Clerk of the Peace for the Midland District."

assess the damages for Thomas Knapp to two pounds ten shillings.

It is ordered by the Magistrates in Quarter Sessions that the sum of two pounds ten shillings be paid to Jas. Knapp out of the District Treasury.

It is ordered that the County of Hastings and the Township of Ameliasburgh, in future be a Division for holding the Courts of Requests.

COURT OF QUARTER SESSIONS, HOLDEN AT ADOLPHUSTOWN,
20TH JANUARY 1812.

Magistrates present.—Alex Fisher, Chairman, Jas. McNabb, Reuben Bedell, Paul Trumpour, Jno. Embury, Hazleton Spencer, Henry McDonnell, Wm Cotter.

The Magistrates allow Marvel Garrison (or Ganison) and Nicholas Peterson Jr a licence to keep a house of public entertainment in Fredericksburgh.

The Magistrates allow Geo. Blume a licence for a public house in Adolphustown, also Robt. Vaughan in Sophiasburgh.

The Magistrates allow Reuben Cronk a licence to ferry from No. 17 in Sophiasburgh, west of Green Point, to the Mohawk land, on the same conditions that Davenport ferries.

Sessions allow Eliphalet Adams a licence to ferry from Marysburgh, above Vanalstine's Mill, to Dorland's Point.

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON THE 28TH
DAY OF APRIL 1812.

Magistrates present.—Richard Cartwright Esq., Thos. Markland, Wm. Fairfield, Wm. Crawford, E. Washburn, John Embury, Reuben Bedell, Alex Fisher, Jas. Colter, John Cumming, Hazleton Spencer, W. Robins.

Road in Township of Camden.

The Jury called and sworn.

The Jury withdrew to consider of their verdict and having returned into Court, by their foreman Robert Perry Jr. do adjudge that the alteration in the road in the first concession of Camden shall be confirmed as laid out by the Commissioners.¹

The King vs. Isaac David, to assess the damage relative to land taken from Isaac David for a public highway. The Jury

¹ In accordance with 50th Geo. III., cap. 1, section 3.

without retiring from Court by Elijah Williams their foreman assess the damage to Isaac David to four pounds.¹

Philip Dorland appointed surveyor of the Highways, in the room of Paul Trumpour, for the County of Lenox.

Wm. H. Wallbridge appointed surveyor of the Highways for the Township of Ameliasburgh.

Constables appointed for the year 1812.

[List follows.]

The following Orders in Sessions were made.

[Extracts only.]

To John Stinson, M.P.	-	-	-	£20	0	0
To James McNabb, M.P.	-	-	-	20	0	0
To Thomas Dorland, M.P.	-	-	-	20	0	0
Town Clerk Richmond, 10s. Loughborough, 10s.	1	0	0			
Camden Town Clerk, 10s. Fredericksburgh, 20s.	1	10	0			
Hallowell, 10s. Ernest Town, 20s.	-	1	10	0		
To the bridge, second concession	-	50	0	0		
To the Surveyor of the Highways for the bridge at Collin's Creek	-	-	20	0	0	
To the Surveyor of the Highways for the bridge in Camden	-	-	-	15	0	0

It is ordered that a surveyor may be employed to lay out and straighten a road on the west side of lot No. 1 in the Township of Loughborough, and other roads, on the representation of the surveyor of the Highways for the County of Frontenac.²

It is ordered by the Magistrates in Quarter Sessions that three-fourths of a Rate be levied from the District for the ensuing year.

It is ordered that the sum of eight pounds be allowed for building a bridge at Knight's Creek, second concession road.

It is ordered that the sum of twenty pounds be allowed for building a bridge over Grass Creek in the Township of Pittsburgh.

Also the sum of twenty pounds be allowed for building a bridge over Collin's Creek, in the fifth concession of Kingston.

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON, TUESDAY
THE 13TH DAY OF OCTOBER, 1812.

Richard Cartwright, Chairman, Hazleton Spencer, Bryan

¹ In accordance with 50th Geo. III., cap. 1, section 10.

² In accordance with 50th Geo. III., cap. 1, section 4.

Crawford, Peter Smith, [and later] Thos. Markland, Jos. Forsyth.

The Sessions allow John Ryder the sum of one pound fifteen shillings for surveying roads.

It is ordered that the sum of ten pounds be allowed to Benj. Fairfield, Esq., for his wages for the year 1812.

It is ordered that the sum of eight pounds ten shillings be allowed to Jas. Young for his wages for 1812.

It is ordered that the sum of nine pounds be allowed to John Stinson, Esq. for his wages for 1812.

It is ordered that the sum of ten pounds be allowed Timothy Thomson, Esq. for his wages for the year 1812.¹

QUARTER SESSIONS HOLDEN TWENTY-SEVENTH DAY OF APRIL, IN THE YEAR 1813, AT KINGSTON.

29TH APRIL. *Magistrates Present*:—Richard Cartwright, Esq., Chairman, Wm. Fairfield, Robt. C. Wilkins, Ebn'r Washburn, Arch McDonell.

The Sessions appoint Mr. A. Ferguson to be Surveyor of the Highways in the place of Geo. Baker, left the Province.

It is ordered by the Magistrates in Quarter Sessions that three-fourths of a Rate be levied for the ensuing year.

Constables appointed. [List follows.]

It is ordered by the Magistrates in Sessions that the following sums be paid to the undermentioned persons.

[List follows with names and sums only, except the following.]

Town Clerk, Kingston, 20s. Do. Camden, 10s.	£1	10	0
Mr. Fairfield, M.P. 1813	-	-	- 13 10 0
John Stinson, M.P. 1813	-	-	- 13 0 0
T. Thomson, Esq., M.P. 1813	-	-	- 13 10 0
Jas. Young, Esq., 1813	-	-	- 13 0 0
John Carscallen	-	-	- 3 15 0
Do. Clerk of the Peace	-	-	11 4

£ 58 16 4

[Total payments] - - - - £475 17 9

COURT OF QUARTER SESSIONS, APRIL, 1814, AT KINGSTON.

Richard Cartwright, Chairman, Thos. Markland, John Carscallen, Peter Smith, Wm. Fairfield.

¹ All as members of Parliament for the different ridings of the District.

The Court took up the petitions of John Van Sickler, for tavern licence, at Ernest Town, which they granted.

Also the petitions of Wm. Ellerbec, for a licence to keep a tavern at his house in the Township of Kingston, which was granted. And Chas. Keith petitions to keep a tavern at his house in Kingston, which was also granted.

The Court took up the petitions of Moses Rogers, Jarvis Warden, Andrew Denyke (?) David Burnside, Wm. Cloughs, Francis Grant and Abraham Bonter, for tavern licences, which they rejected.¹

The Court then took up the petition of Jas. Adams as goaler, and augmented his salary to £50 per annum, including the last year.

The Sessions adjourned until eleven o'clock on Thursday morning at the Church.

The Court met pursuant to adjournment.

An application was made to increase the rates of ferriage from Adolphustown to Marysburgh, by Eliphalet Adams and Peter V. Dorland.

The Court are of opinion there is no sufficient ground to increase the rate of ferriages.

The Magistrates in Quarter Sessions made the following orders for the payment of money.

[Extracts only.]

Sheriff, annual allowance	-	-	-	£20	0	0
Fred. Mincher, for keeping Robt. Brown				11	1	10
John Carscallen, surveyor of Roads	-			2	7	6
John Stimson, Esq.	-	-	-	17	10	0
Timothy Thomson, Esq.	-	-	-	18	0	0
Jas. Young, Esq.	-	-	-	17	0	0
Benj. Fairfield, Esq.	-	-	-	18	0	0
Town Clerk, Camden, 10s.	Do., Ernest					
Town 20	-	-	-	1	10	0
Town Clerk, Fredericksburgh	-	-		1	0	0
Do., Adolphus Town 1813 and 1814				1	10	0

¹ During the war of 1812-15 there were few enterprises open to persons of moderate means more profitable than that of tavern keeping. Accordingly a great many new taverns were opened in the country during that period. Yet as we observe from this record not all who sought to serve the public in this calling were permitted to do so.

Town Clerk, Kingston, 1814	-	-	-	1	0	0
Widow Storms on acct. of Huffman	-	-	-	13	0	0
[Total payments]	-	-	-	543	14	3
Constables for the year 1814. [List follows.]						

[Ordered] That three fourths of a Rate be levied for the year ensuing.

COURT OF QUARTER SESSIONS JANUARY 24TH 1815. ADOLPHUS TOWN.

Present: Alex. Fisher, Chairman. Thos. Dorland, Jacob B. Chamberlain, Reuben Bedal, Stephen Conger, Jas. McNabb, Bryan Crawford, Wm. Crawford, Michael Slood.

Reuben Bedal is appointed surveyor of the Highways for the County of Lenox, from the decease of Philip Dorland.

COURT OF QUARTER SESSIONS HOLDEN AT KINGSTON 25TH APRIL 1815.

Present: Thomas Markland, Chairman, Thos. Empey, Michael Slood, John Carscallen, Thos. Dorland, Matthew Clark.

The Sessions recommended Robt. Walker and Francis Beausoliel for tavern licences.

Mr. Jacob Shibley is appointed surveyor of the highways in the County of Frontenac, in the room of Michael Slood, Esq.

The Sessions recommend the sum of fifty pounds to be paid out of the Treasury for the 1st Concession Bridge, Cata-raqui.

That in future only one Court of Request will be holden in the County of Lenox.

That in future the Division of Frontenac will be, the Town to Widow Ferris' 3rd Concession, and from the Widow Ferris' to the rear of Polland and Loughborough.

The Sessions direct one half Rate to be levied for the Midland District for the year ensuing.

The following accounts were audited and directed by the Chairman to be paid out of the Treasury.

[Extracts only.]

Patrick McDonald, to be paid into the hands of

Town Wardens and paid monthly	-	£15	0	0
To the Sheriff	- - - - -	20	0	0
Town Clerk, Loughborough	- -	15	0	
Town Clerk, Ernest Town	- - -	1	5	0

It is ordered by the Magistrates in Sessions that the sum of twenty-eight pounds be allowed Timothy Thomson Esq. for his services as M.P. for Counties of Lenox and Addington, for the year ending March, 1815.

It is ordered that twenty pounds be allowed to James Young Esq. for same period.

It is ordered that sixteen pounds be paid to Benj. Fairfield for his attendance during the said period.

It is ordered that twenty-six pounds be paid to John Stinson Esq.

That in future the Town Clerks who deliver in the lists are to be allowed as follows: for Camden 15s., Adolphus 15s., Sidney 15s., Thurlow 15s., Loughborough 15s., Addington 25s., Fredericksburg 25s., Frontenac 25s.

Constables. [List follows.]

COURT OF QUARTER SESSIONS 11TH JULY, 1815, HOLDEN AT
ADOLPHUS TOWN.

Present:—Alex. Fisher, Chairman, Thos. Dorland, R. Bedal, Wm. Crawford, Cornelius Vanalstine.

The Sessions order and direct a tavern licence to Mr. Edward Barnet to keep a public house in Kingston.

The Sessions also allow £50 for the front bridge over the Cataraqui.

The Sessions direct Thos. Rowan to be recommended to keep a public house at Amherst Island.

COURT OF QUARTER SESSIONS OCT. 10TH, 1815. [KINGSTON]

Present:—Thos. Markland, Chairman, Thos. Dorland, Peter Smith, Esquires.

The Sessions order and direct the sum of forty shillings to be levied as a fine, by the Sheriff, from the following Grand Jurors, for non-attendance at the Sessions. [Five names.]

The Sessions order and direct the sum of twenty shillings to be levied as a fine, by the sheriff, from the following petit jurors, for non-attendance at the Sessions. [Nine names, one afterwards excused.]

The Sessions order the following constables to be fined twenty shillings each, for non-attendance at Sessions. [Four names, two afterwards excused.]

The Sessions recommend John Blaike (?) for a tavern licence ; also John L. Jackson and John Franklin.

COURT OF QUARTER SESSIONS 23RD JANUARY, 1816, AT
ADOLPHUS TOWN.

Present.—Alex. Fisher, Chairman, Bryan Crawford, Thos. Dorland, B. Dyer, John Carscallen, Jas. McNabb, E. Washburn, R. Bedal, D. Wright.

The Sessions allow Dan'l Brown, John B. Pison, Joseph Clement, Louis D. Charm, Chas. McLean and John Campbell, to have licences to keep public houses. Also John Roushorne and P. Charbornan.

The Sessions appoint John Aldenly, John Ward, Jas. Burke and Ed. Philpot, to act as constables for the King's ground on Point Frederick, and direct the Clerk of the Peace to communicate the same to Capt. Owen.

Mr. McCarthy agreeable to notice came forward to apply for a licence as a Presbyterian Minister for Ernest Town, which was refused him by the Chairman of the Sessions.

The Quarter Sessions allow Jacob Bowen a ferry from a place called John Vanskiver's, at the same rates of ferriage.

The Sessions allow Wm. McLaughlin and David Hill to have licences in the town of Kingston.¹

[At the end of this volume of Court Records there is a short Marriage Register giving the formal declaration necessary to legalize marriages contracted where there were no clergy of the Church of England. The following is a sample:—]

I, David McCrae, do solemnly swear in the presence of

¹The formal conditions under which licences were petitioned for, granted, or renewed, at this time are given in the following:—

"PUBLIC NOTICE. Midland District, to wit. By virtue of a warrant to me directed, signed by two of his Majesty's Justices of the Peace for the said District, notice is hereby given, that a meeting of his Majesty's Justices of the division of Frontenac, will be holden at the Court House, in the town of Kingston, at eleven o'clock in the forenoon, on Saturday the 23rd of the present month, for the purpose of renewing the licences for the year next ensuing ; likewise for granting new licences to those who wish to make application for the same. All Inn, Tavern and Public house Keepers, will give their attendance accordingly.

JAMES ADAMS, High Constable, Kingston, Dec. 14, 1815."

Published in the *Kingston Gazette* of Dec. 16, 1815.

Almighty God, that I did publicly intermarry with Erie Smyth, at Michilimackinac, on the thirteenth day of October in the year of our Lord, one thousand seven hundred and eighty-three, and that there is now living issue of said marriage, one son and three daughters. [Names and dates of birth follow.] Sworn before me at Kingston, in the Midland District and Province of Upper Canada, the 29th May, in the year of our Lord, 1794. RICHARD CARTWRIGHT, Junior, C.P.

[There follows a similar declaration by his wife, Erie Smyth.

On the same date is registered the marriage of Richard Cartwright and Magdalen Secord, which took place at Niagara, Oct. 19th, 1783.]

QUARTER SESSIONS HOLDEN AT KINGSTON 23RD APRIL, 1816.

Present:—Alex. Fisher, Chairman, Thos. Markland, Timothy Thomson, John Carscallen, Thos. Dorland, Michael Slood, Thos. Empey.

The Sessions allow John Robson a licence to keep a house of public entertainment at Pittsburg.

The Sessions allow Joseph Loria a ferry across Collins' Creek. 7½d. per man and horse. 1s. 3d. for waggon and horse.

It is ordered by the Magistrates in Sessions, that the sum of fifty pounds be paid out of the District Treasury for the purpose of building a bridge across Collins' Creek.

The Magistrates in Quarter Sessions do appoint Robt. Young as High Constable for the District.

Daniel Haight is appointed as surveyor of roads for the County of Lenox.

It is ordered by the Magistrates in Sessions, that a full rate be levied on the inhabitants of the Midland District, for the year ending the first March, 1817.

It is ordered by the Magistrates in Quarter Sessions that prosecutions shall be commenced against any collector, or any security for any collector, who has not paid in the amount due from the Townships for which such person is collector.

Constables appointed for the year ending 1817. [List follows.]

The following accounts were ordered [to be paid] by the Magistrates in Quarter Sessions. [Names and sums only. Total

£1361. 17. 8. which does not include the allowances to the township clerks or members of Parliament, the latter being as follows.]

It is ordered by the Magistrates in Sessions, that the sum of thirty-two pounds be paid to Jas. Young Esq. member for the County of Hastings, and township of Ameliasburgh.

It is ordered by the Magistrates in Sessions that the sum of thirty pounds be paid to John Stinson Esq. for his attendance in Parliament for the year 1816.

It is ordered that the sum of thirty-three pounds be paid to Timothy Thomson, Esq., member for the County of Lennox and Addington for the year 1816.

It is ordered that the sum of eighteen pounds, ten shillings, be paid to Benjamin Fairfield, Esq., member of Parliament for the County of Lennox and Addington for the year 1816.

The following persons are appointed Constables to act at Point Frederick. [Four names.]

Police Rules and Regulations, by order of the Magistrates in General Quarter Sessions of the Peace, held at Kingston:—

1st. The streets of Kingston are to be turnpiked, the statute labor of the Town, or a certain proportion of it, to be appropriated to that purpose.

2nd. Foot paths of eight feet to be left each side of the street, six feet of which is to be paved with flag stones, and sound posts planted at the corners, and at certain equal distances along the street, if necessary, the expense to be defrayed out of the rates to be levied for that purpose on the inhabitants.

3rd. No wood, timber, stone, or other materials to be laid in the streets, except for immediate buildings, and then only on the sides, leaving the centre free, and the surplus to be removed as soon as the building is finished, on the penalty of twenty shillings.

4th. No fire wood to be piled in the streets, nor empty casks, cases or boxes, rubbish, or filth of any kind to be left or thrown into the streets, except to be immediately removed, on the penalty of five shillings, and if not carried away in forty-eight hours the further sum of five shillings.

5th. Carts and carriages left in the streets shall be arrang-

ed along the sides in a regular manner, on the penalty of five shillings.

6th. No person shall race or run horses in the streets, on penalty of five shillings.

7th. Every inhabitant householder shall have one or two ladders, to ascend to the roof of his house, and the same number on the roof, in proportion to the size of the house, on the penalty of five shillings for every neglect.

8th. In every case where a chimney shall take fire, the occupier of the house shall pay a fine of five shillings.

9th. Every stove pipe carried into partitions, or the roofs of houses, shall have a space of six inches between the pipe and wood, with sheet iron or tin around it, on the penalty of ten shillings for each offence.

10th. No person shall be allowed to build chimneys of wood and clay, on penalty of forty shillings, and be obliged to pull it down.

11th. Every hog running in the streets shall be empounded and the penalty imposed agreeable to the statute.

12th. The butchers are allowed until the first of May, 1817, to remove their slaughter houses out of town:—that after that period butchers who shall be found killing within the town, shall pay a fine of forty shillings for every beast he shall so kill.

13th. The clerk of the Market shall have the market place swept every afternoon, and also see that the spaces under the eaves of the market be kept clean, and that every person refusing to remove filth and dirt, which they may have caused, shall pay a fine of five shillings.

14th. Any person offending against the above rules and regulations may be prosecuted before any one of the Commissioners appointed by the Act. And if convicted on the oath of one credible witness, or on his own confession; if the penalty shall not be immediately paid, they shall be levied, together with the costs and charges, by distress and sale of the offender's goods and chattels by warrant, under the hand and seal of any one of the said Commissioners; one half of the penalty to go to the informer; the other half to the Treasurer of the District, for

the use of the Town."¹

QUARTER SESSIONS AT ADOLPHUSTOWN, 28TH, JANUARY, 1817.

[After various cases were tried.] The Sessions adjourned until the 8th February at Kingston.

The Sessions met pursuant to adjournment.

Present:—Thomas Markland, Chairman; Wm. Robinson,

It is ordered by the Court,—That the pipes of stoves now passing through the ends and sides of houses in the town of Kingston, shall be taken down and passed through the roof of each house immediately, with a plate of sheet iron fixed around the pipe, and a space of six inches left between it and the wood, on the penalty of twenty shillings; and that from and after the first day of May next, every stove pipe passing through the roof of a house as aforesaid, shall be received into a flue made of brick, under the penalty of twenty shillings; with the exception of the stove pipe in the building occupied by Gilbert Vandusen and others, who shall build a brick flue for the reception of their pipe immediately. They also order that all sleighs, or other carriages, resorting to the market, shall repair to the south west side of the Market House, in order that the street on the other side thereof may be kept clear and free from carriages and other implements; and that it shall be the duty of

¹ During 1816, beyond long lists of trials, arising out of breaches of the peace, little of importance is given in the manuscript records. It was during this year, however, that the municipal, or police functions of the Court were considerably enlarged. On the 1st of April, 1816, there was passed "An Act to regulate the police within the Town of Kingston." 56 Geo. III, Cap. 33. The preamble states that since the population of the town has much increased, there is need to make provision for its internal regulation. Accordingly, the Magistrates in Quarter Sessions are authorized to make and ordain such prudential rules and regulations as they may deem expedient, "relative to paving, keeping in repair and improving the streets of the said town; regulating slaughter houses and nuisances, and also to enforce the said town laws relative to horses, swine, or cattle of any kind from running at large in said town; relative to the inspection of weights and measures, fire men and fire companies." They are not, however, to regulate the prices of anything that may be offered for sale, or in any way interfere with the laws or statutes of the Province. They are authorized to raise funds by special assessments, to the limit of £100 in one year, to provide an outfit for the extinguishing of fires, or to make any other improvements in the town. Their rules and regulations may be enforced by fines, not exceeding forty shillings for any one offence. Every rule or regulation made in virtue of this act, before it shall have effect, shall be published in the *Kingston Gazette*, and be posted up in three or more public places in the said town. The first set of police rules and regulations, drawn up and published in accordance with this act, appeared in the *Kingston Gazette* on Sept. 1st, 1816, and is as given above.

the Clerk of the Market to attend strictly to the execution of these orders and regulations.¹

The Magistrates allow John Young one third of the rear of the stalls in the Market House, and to board it up, and to pay five pounds per annum.

The Sessions allow Allan Maclean thirty-five pounds for the repairs across the flat, and for the bridge causeway across the flat.

The Sessions allow John Moore a licence in the town of Kingston.²

The gaoler to be allowed quarterly the amount of his expenditures for the support of the prisoners in Gaol, provided there shall be funds to defray the same, in the hands of the Treasurer.

QUARTER SESSIONS AT KINGSTON, 22ND APRIL, 1817.

Present.—Alex. Fisher, Chairman; Thos. Markland, Dan. Wright, Thos. Dorland, Thos. Empey, M. Slood, Peter Smith, Arch. McDonell, Ebenezer Washburn, Jas. McNabb, Assistants Justices.

The following accounts were ordered (to be paid) by the Magistrates in Quarter Sessions.

[Total amount £1101-12-8.]

It is ordered by the Magistrates in Sessions, that the sum of thirty-nine pounds ten shillings be paid to Isaac Fraser, for his attendance as Member of Parliament for the year 1817.

It is ordered that the sum of thirty-six pounds be paid to Jas. McNabb, Esq., M.P., for the County of Hastings and Township of Ameliasburgh.

It is ordered that the sum of thirty-nine pounds, ten shillings, be paid to James Cotter, Esq., M.P., for the year 1817.

It is ordered that the sum of thirty-nine pounds, ten shillings, be paid to Willet Casey, M.P., for Lennox and Addington, 1817.³

¹ These regulations were published in the *Kingston Gazette* of Feb. 15th, 1817.

² Mr. Moore had just established the Kingston Coffee House, commonly known as Moore's Coffee House, for some years a noted hotel and meeting place.

³ There had been an election in June 1816, when the following gentlemen had been returned to represent the constituencies of the District, Frontenac, Allan McLean, who was also Clerk of the Peace, Prince

To Sheriff, for repairs of Court House-	-	-	£25 0 0
The Cataraqui Bridge, to be allowed -	-	-	50 0 0

Constables appointed for the year ending 1818.

[List follows.]

May 24th, 1817.

The Sessions met. *Present*—Thos. Markland, Esq., Chairman; Peter Smith, Robt. Williams, Mat. Clark, John Embury, John Carscallen, And. Kimmerly, Jacob B. Chamberlain.

The Treasurer presented the accounts to the Quarter Sessions.

It is ordered that in order to meet the expenses of the District for the present year, that the Treasurer of the District borrow Four Hundred and five pounds, five shillings, and seven pence half-penny, currency.

The following rates of ferriage are to be allowed from Kingston to Point Frederick.¹

One person only,	-	-	-	-	-	3 d.
More than one person,	-	-	-	-	-	2
Horses and Horned Cattle,	-	-	-	-	-	7½

Edward, Jas. Cotter, Lenox and Addington, Willet Casey, and Isaac Fraser, Hastings and township of Ameliasburg, Jas. McNabb. With the exception of Mr. McLean, none of these was in the previous parliament.

¹On the 29th March the following notice appeared in the *Kingston Gazette*. "Notice. A ferry is to be established to run between Kingston and point Frederick; the fixed points will be the street next to Mr. Hugh C. Thomson's on this side, and north of Sir Robert Hall's on the other side. The craft required will be a large flat-bottomed boat to carry horses and carriages, and two smaller ones for foot passengers. Those persons disposed to undertake it will give in tenders to Mr. Wm. Stoughton by the twentieth of next month, and in their tender they must specify the price they will give for the ferry, and the fare they will carry for. The lease will be for three years. Thomas Markland J.P. Peter Smith J. P. Kingston March 29th, 1817."

In the next number of the *Gazette*, for April 5th, there appeared a long open letter addressed to these two Magistrates, questioning the authority for their action. It is claimed that there is no statute covering the question and no record of an order on the subject by the Quarter Sessions. The only statute dealing with ferries allows the Quarter Sessions merely to limit the fees, or rates of ferriage, and to ordain rules and regulations to be observed by the ferryman. The power to establish or grant licences to ferries, not having been granted to the Sessions, has been assumed and exercised by the Lieut.-Governor. At the same time the Governor in granting licences has acted upon a form of recommendation from the Magistrates in Sessions; but two Justices out of Sessions cannot exercise such large powers in the matter.

The objection seems to have been well taken, for, as here recorded, the Court in the end did nothing but specify the rates, as in the case of other ferries.

Sheep, Calves and Swine,	-	-	-	3
Horse and Cart,	-	-	-	9
A Puncheon,	-	-	-	7 1/2
Barrel,	-	-	-	3
Man and Horse,	-	-	-	9
Waggon and Horse,	-	-	-	10
“ “ “ loaded,	-	-	-	1s.
After nine at night: person,	-	-	3d. and 4d.	
From 15 Nov.,	-	-	4d. and 3d.	

ADDITIONAL POLICE LAWS.

It is ordered by the Magistrates in Sessions, that from and after the first day of July next, there shall be established in the Town of Kingston, twelve carmen, who shall keep good and sufficient horses and carts, and shall have the exclusive privilege of carting for the inhabitants of the town of Kingston, and be subject to the following rules and regulations:

1st. For every cart load from the water side to the first street and blocks adjoining, 10d.; if to the next block, 1s., and so on in proportion along said street, but not to exceed 2s. to the end of the town.

2nd. For every cart load from the water side to the second street and adjoining block, 1s.; if to the next block, 1s. 3d., and so on in proportion along said street, but not to exceed 2s. to the end of the town.

3rd. For every cart load from the water side to the third street and adjoining block, 1s. 3d.; if to the next block, 1s. 6d., and so on in proportion along said street, but not to exceed 2s. to the end of the town.

4th. For every cart load from the water side to the fourth street and adjoining block, 1s. 6d., and so on in proportion along said street, and from the water side to the picketing round the town, 2s.

5th. For every waggon load with two horses to the different parts of the town aforementioned, one third more than for carts.

6th. That persons bringing loads from the country into the town shall not be subject to the above rules and regulations.

7th. That every cart or waggon employed as above mentioned, shall be numbered, and have the owner's name marked

on it with red paint by the police officer, and by him entered in a book to be kept for that purpose, for which the owner shall pay a fee of two shillings and six pence, and receive from the police officer a certificate of his appointment.

8th. The place of rendezvous shall be in the Market Place, north of the Guard House.

9th. That no other persons than those who have certificates, shall carry for payment, in the town of Kingston, under the penalty of five shillings for each load, together with costs.

10th. That if any carman so appointed, shall refuse to carry for the above rates, he shall pay a fine of one shilling, together with costs.

11th. All fines and penalties imposed by these rules and regulations to be recovered as directed by statute.

ALLAN MACLEAN, Clerk of the Peace.

Kingston, 11th June, 1817.¹

QUARTER SESSIONS 5TH JULY. 1817.

Thos. Markland, Chairman; Peter Smith, Esq., Wm. Robinson, Esq.

The Sessions order that a sum not exceeding twenty-five pounds be expended for the improvement of the Court House.

QUARTER SESSIONS, JULY 8TH, 1817, HOLDEN AT

ADOLPHUS TOWN.

Alex. Fisher, Chairman; Thos. Dorland, John Embury, Danl. Wright, Barn. Dyer.

Mr. Peter Detlor resigns the office of Surveyor of the roads for the township of Fredericksburgh.

Mr. Geo. Embury is appointed Surveyor of the highways for Fredericksburgh.

The Sessions order the Wesleyan Chapel in the Town of Kingston to be registered according to the statute in such case made and provided.²

¹The above additional police laws were published in the *Kingston Gazette* of June 14th, 1817. Like those of Sept. 1st 1816, they do not appear on the manuscript records of the Sessions.

²During 1816 preparations had been made to build this Methodist chapel and in November of that year tenders were called for, by Thos. Catterick, (called John Catterick by Playter,) the local preacher appointed by the English Conference. The chapel was to be erected near the North Gate, and the size of the building is given as 36x46 and two stories high. In the *Gazette* of May 24th, 1817, appeared a list of subscribers to the building fund, which showed that most of the leading people of the town and district, including some of the military, had contributed towards it.

The Court order a licence to issue to R. Cusach (?) to keep an inn in the Town of Kingston.

The Sessions adjourned until 19 July at Kingston.

OCTOBER QUARTER SESSIONS, 14TH OCTOBER, 1817, [KINGSTON.]

Thos. Markland, Chairman; Peter Smith, Esq.

[Only cases for trial, chiefly assault and battery as usual.]

QUARTER SESSIONS, 27TH JANUARY, 1818, ADOLPHUS TOWN.

Alex. Fisher, Chairman; Thos. Dorland, Reuben Bedal, Eben. Washburn, John Embury, Jas. Cotter, Jas. McNabb, John Carscallen.

The Sessions order the following answers to be returned to the mandamus, and the report of Elijah Beach to be recorded.

The report of Elijah Beach, surveyor of roads for the County of Frontenac, relative to the opening a road from the north westerly line of the Town of Kingston, in a route as direct as may be to the concession road near the house of Samuel Abbot in the Township of Kingston; and the discontinuance of the road travelled on from Store street in the Town of Kingston near the dwelling house of Benj. Olcott diagonally across several town lots to Grave street near the picket gate,¹ was received, and the said Elijah Beach having made known to the Court that notices of opposition to the said report be submitted to a jury.

[The answer of the Justices is a long and involved affair, the gist of which is, that, having been ordered by the Supreme Court,—“The Honorable the Justices of the Court of our Sovereign Lord the King, in the Province of Upper Canada,” to confirm the report of Beach, they claim that sufficient notice had not been given, and having extended the time, and opposition having developed, they recommend that the matter be referred to a jury as provided by law.]²

QUARTER SESSIONS, 28TH APRIL, 1818.

Alex. Fisher, Chairman; Peter Smith, M. Sloot, Mat. Clark, Anthony McGrier, Jas. McNabb, Thos. Markland, John Embury, John Carscallen.

¹Store street is now Princess street, and Grave street is now Queen street. The picket gate would be a gate passing through the line of palisades and block houses which then surrounded the town; and the gate in question must have been about the corner of Queen and Clergy streets.

²The decision of the jury is given in the report of the Sessions for October 1818.

The Sessions sentence Wm. Schyler to be set in the stocks for two hours.¹ [For petit larceny.]

The following are the rates of ferriage established by the Magistrates in Quarter Sessions from Wolfe Island to the American shore :

A man, - - -	2s.	A horse, - - -	2s.
Cattle, each, - -	2s.	Hogs, each, - -	6d.
For a loaded waggon or sleigh, - - - - -	3s.		

The following are the rates of ferriage from Belle Ville₂ to Ameliasburgh:

Man and horse, - - -	2s. 6d.	Man, - - -	1s. 3d.
Waggon and horses, -	4s.	Two men, - -	2s.
One pair of oxen, - -	4s.		

It is ordered that the Treasurer do pay the following sums of money to the undermentioned persons :

[Extracts.]

Alex. McDonell, Coroner, - - -	£	23	0	0
Wm. Bell, Coroner, - - -		8	0	0
John McLean, Sheriff, - - -		26	5	0
Clerk of the Peace, - - -		117	0	0
Jas. McNabb, Esq., M.P., - - -		26	0	0
Isaac Fraser, Esq., M.P., - - -		28	10	0
Robert Young, Gaoler, - - -		282	0	0

Total amounts to be paid, £1,053 18 8.

Constables appointed for the Midland District for the year 1818.

¹As samples of the sentences given in the higher Court of Assizes at this period, the following may be taken, from the August Assizes at Kingston. John C... Esq. (one of the Magistrates) for forgery, one month's imprisonment, and ten pounds fine. John C. Wilson, Grand larceny, Restitution of the stolen property, three months' imprisonment and public whipping, 39 stripes. John Grace, Grand larceny. One month's imprisonment, public whipping, 39 stripes, and banishment. Mary Smith, Grand larceny. One month's imprisonment and private whipping. Noble Bowman, Assault upon a female. Ten days imprisonment and five pounds fine. Alice Braydon, Keeping a house of ill-fame. One month's imprisonment, standing in the pillory half an hour, with a label of her offence on her back. Mary Flake, keeping a house of ill fame. One month's imprisonment and sitting in the stocks half an hour.

In the following year, 1819, for an assault with intent to murder, a man was sentenced to two months imprisonment and a fine of three pounds. Another man, for knowingly uttering a forged receipt, was sentenced "to be hanged on Thursday 11th November next." A third man for stealing a cow was sentenced to be hanged on the same date.

²In August, 1816, we find that the Lieut. Governor in Council has been pleased to name the new town, formerly known as Myers Creek at the river Moira, Belleville, by request from the people of the town."

[List follows.]

It is ordered by the Magistrates in open Sessions that the Midland District be divided into two divisions for holding the Courts of Request—the Upper and Lower Division. The Upper Division to comprehend Marysburgh, Hallowell, Sophiasburgh, Ameliasburgh, Sidney, Rawdon, Thurlow and the Mohawk Lands. The Lower Division to comprehend Pittsburgh, Wolfe Island, Loughborough, Kingston, Ernest Town, Amherst Island, Camden, Portland, Richmond, Fredericksburgh and Adolphus Town. And the Magistrates within these respective Divisions to fix the places of holding their Courts.

The Grand Jury made a presentment relative to the publishing the accounts of the District.¹

It is ordered that the sum of thirty-five pounds be paid to James Cotter, M.P., for the County of Prince Edward, for the year 1818.

It is ordered that the sum of thirty five pounds be paid to Willet Casey Esq. M.P. for the Incorporated Counties of Lenox and Addington, 1818.

ADJOUNED SESSIONS, 9TH MAY 1818.

Thos. Markland, Chairman, Peter Smith, Anthony M. Grier, Michael Slood.

Lewis Day presented a petition relative to the Cataraqui Bridge.

The Magistrates direct a petition to the Lt.-Governor not to grant any more lots in the Market Square.

The Treasurer delivered his account of the money raised and expended under the Police laws.

The Treasurer also delivered his account of money received and expended relative to the Market House.

ADJOURNED SESSION, 8TH JUNE, 1818.

Present:—Thos. Markland and Peter Smith, Esqs.

The Sessions authorize John Cumming and Peter Smith, Esquires, to enter into an agreement with some person to dig a well for the use of the Gaol, and to give orders to the person so undertaking, on the Treasurer of the Midland District, to pay for the same out of the Treasury.

June 15. The Sessions nominate and appoint Mr. Robert
¹No action was taken on this at the time.

Richardson Collector for the Town and Township of Kingston, Wolfe Island and Pittsburgh.

June 22. The Magistrates in Sessions accept of the offer of Mr. Anthony Marshall, Surgeon, to attend the gaol.

July 11. It is ordered by the Magistrates in Sessions, that stone monuments be placed at the four corners of the Township of Kingston, and at each end of each concession line on the boundary line of the Township.

It is ordered that the sum of one half penny per acre be raised from the lands of the Township of Kingston to defray the expense of fixing permanent boundaries of the said Township.

QUARTER SESSIONS, ADOLPHUS TOWN, 14TH JULY, 1818.

Alex. Fisher, Esq., Chairman, Thos. Dorland, Jas. Cotter, John Embury, Arch. McDonell, Danl. Wright, Barnabas Dyer, Wm. Bell, Jas. McNabb, Reuben Bedal, Stephen Conger.

It is ordered that from and after the first day of Aug. next, that the Midland District be divided into the following Divisions for holding the Courts of Requests:

The County of Frontenac to contain two Divisions, the first division to include Wolfe Island, the Township of Pittsburgh, the Town of Kingston and the first and second concessions of the Township of Kingston. The second Division to include the other concessions of the Township of Kingston, the Township of Loughborough and the Township of Portland.

The County of Addington to be one Division.

The County of Lenox to be one Division.

The Township of Ameliastown to be one Division.

The Townships of Hallowell and Sophiasburgh, together, including the Big Island, to be one Division,

The Township of Marysburgh to be one Division.

The Justices acting within and for each Division, or the major part of them, to appoint the place of holding the Court within and for their Division.

And it is further ordered that the Clerk of the Peace cause the foregoing order to be published in the *Kingston Gazette* three weeks successively. By order of the Sessions.

QUARTER SESSIONS, HOLDEN AT KINGSTON, TUESDAY, THE
13TH OCTOBER, 1818.

Present:—Thos. Markland, Chairman, Peter Smith, Thos. Dorland.

A jury was empanelled whether a road on Wolfe Island shall be confirmed, pursuant to a report of Elijah Beach, dated 26th Sept., 1818.

A jury was called to confirm the report of the Surveyor of Highways, Elijah Beach, to discontinue the road from Store St. to Abbot's Inn.

Mr. Washburn as counsel opposed the confirmation of the Surveyor's report as a jury had already decided on the question.

The Magistrates and the jury to be empanelled.

[Names follow.]

The jury after retiring to consider of their verdict, and having returned into court, by their foreman Joseph Jackson say the road already confirmed from Store street direct to Abbot's Inn be continued.

The Sessions adjourned until the second day of November, 1818.

It is ordered by the Magistrates in Sessions that the sum of thirty-three pounds ten shillings be paid to Isaac Fraser, Esq., M.P., for Lenox and Addington.

Also the sum of thirty-one pounds ten shillings to Willet Casey for same period.

At a meeting of the Magistrates for the purpose of recommending persons for tavern licences for the ensuing year. Kingston, 28th Dec., 1818.¹

¹ There had been growing complaints throughout the country, of the increase of drunkenness, with its accompanying vices, since the war. The number and character of the taverns which had been licensed in every quarter contributed largely toward this evil. At length, on the 27th of Nov., 1816, an act was passed altering the law then in force with reference to the granting of licences. The new act gave to the Justices of the Peace in Quarter Sessions, authority to regulate the duties thereafter to be paid for such licences, within their respective Districts. They were given power to limit the number of taverns in each District, and were directed to enquire into the life and character of the applicants for licences, and to grant them to "such persons as were sober, honest, diligent and good subjects of Our Lord the King." The Justices are to grant certificates to the applicants approved, and may fix the fees to be paid, according to location, and the inspector will issue the licences on payment of the fees specified. The fees appointed are not to exceed £12, 10s., or fall below £1, 16s., with the additional duty of 20s. now imposed by law. The Magistrates may also frame rules and regulations for the conduct of tavern keepers, which they may be bound by their recognizances to abide by.

Present:—Thos. Markland, Chairman, John Cumming, Peter Smith, Thos. Dorland, Lawrence Herchimer, Wm. Mitchell, Robert Williams, Isaac Fraser.

It is ordered that the rates of Tavern Licences, for the ensuing year, for the Town of Kingston, is to be ten pounds.

That the rates of Tavern Licences outside the Pickets, north westerly, is established at six pounds for the ensuing year.

That the rates of Tavern Licences for the villages of Waterloo, Bath and Belle Ville, each licence to be six pounds.

That the rates of Tavern Licences for the village of Hallowell,¹ and one mile on each side the same, the sum of six pounds.

That the rates of Tavern Licences throughout the District, not comprehended in the foregoing orders, the sum of four pounds.

That the rate of Tavern Licence for Stuartville,² the sum of six pounds.

The Magistrates in Sessions do order,—that every person obtaining a licence to keep an inn do enter into a recognizance, himself in ten pounds, with two sureties each in the sum of five pounds, to prevent unlawful games in his house, and that he keep good order and rule within the same. That in addition to the foregoing recognizance, the following rules and regulations are to be observed by every innkeeper under the forfeiture of the said recognizance:

That no innkeeper shall vend any wine, brandy, rum, or other spirituous liquors, except for the use of travellers, after the hour of ten at night in winter, and nine at night in summer.

That no innkeeper shall vend any wine, brandy, rum, or other spirituous liquors on Sunday, except to sick persons and travellers, nor during Divine Service. No innkeeper shall suffer any tradesmen, labourers, or others to abide in his house longer than an hour in the day time, in order to drink and tipple.

That every innkeeper in the County shall possess an inclosed yard and shed for the accommodation of travellers with their carriages.

¹Now Picton.

²A suburb of the town in the neighborhood of the present site of Queen's University.

